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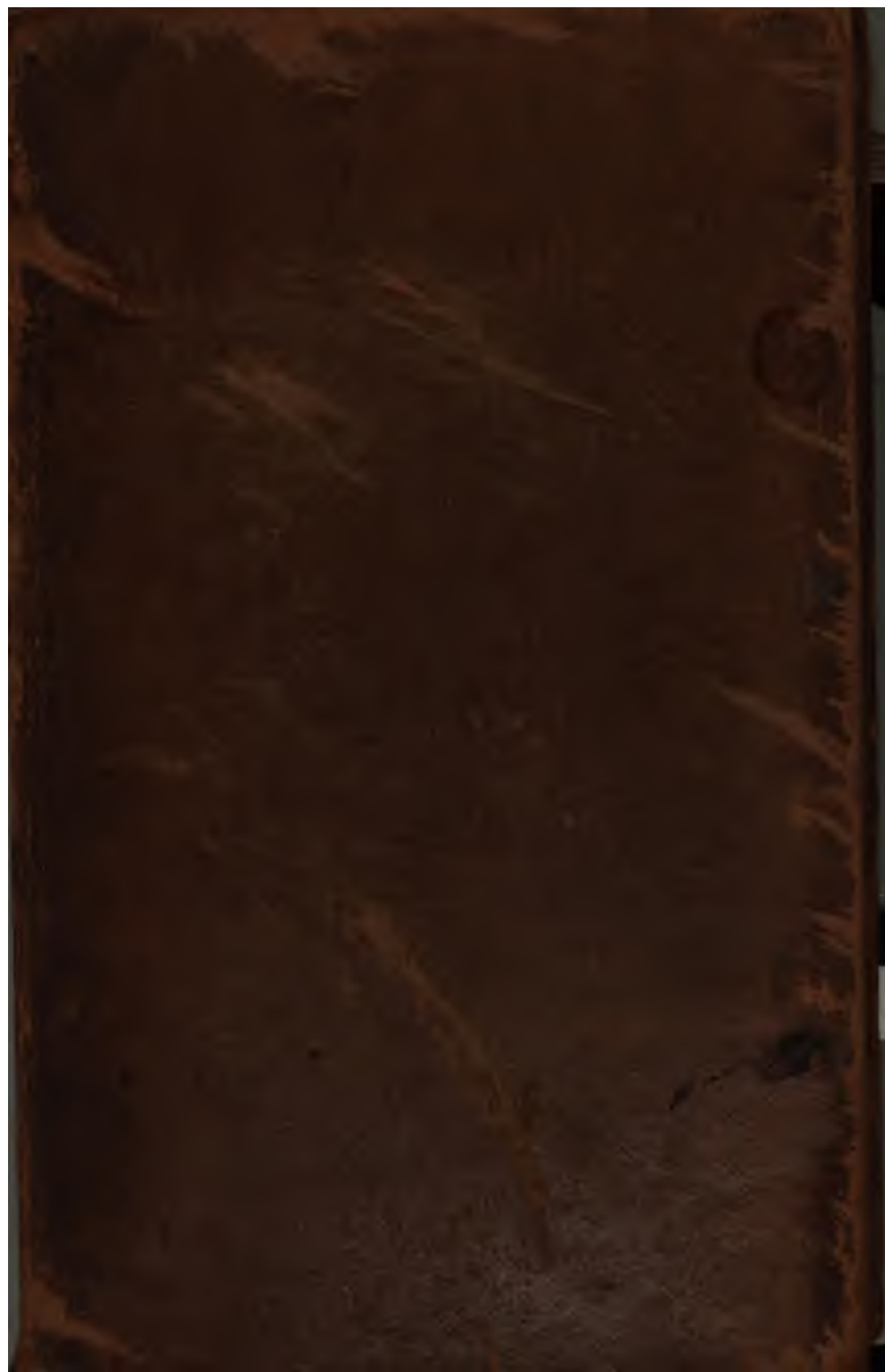
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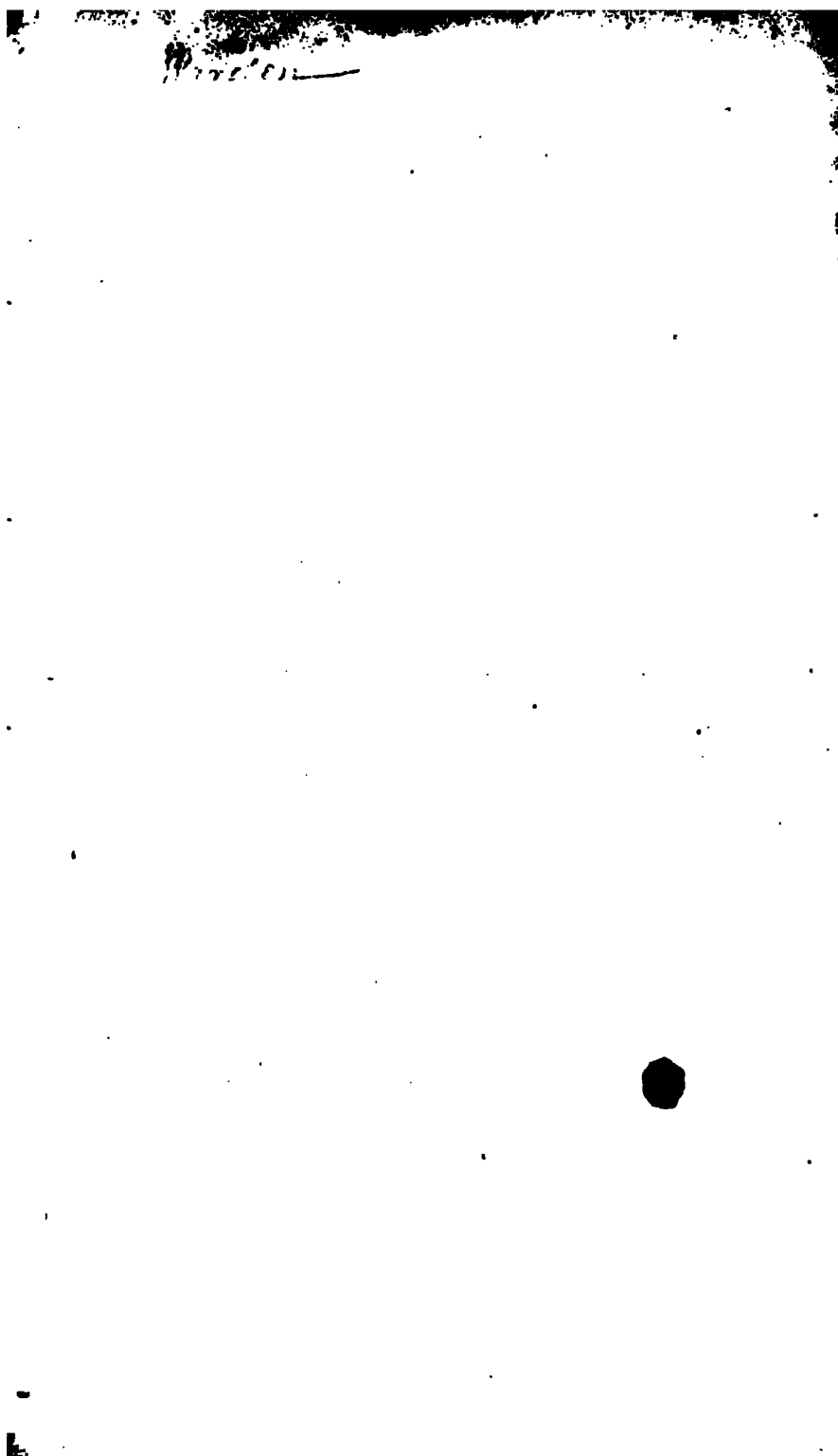
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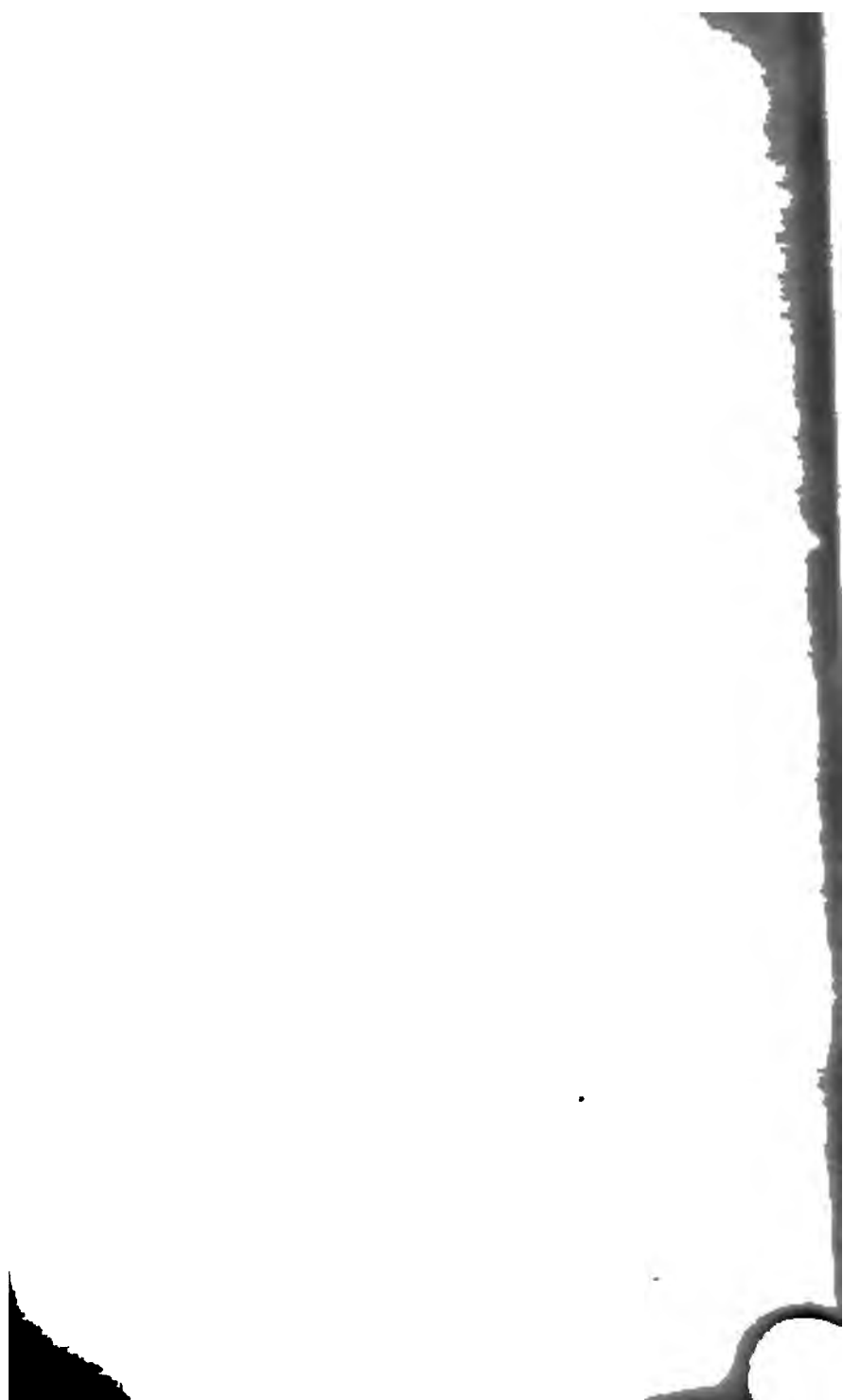
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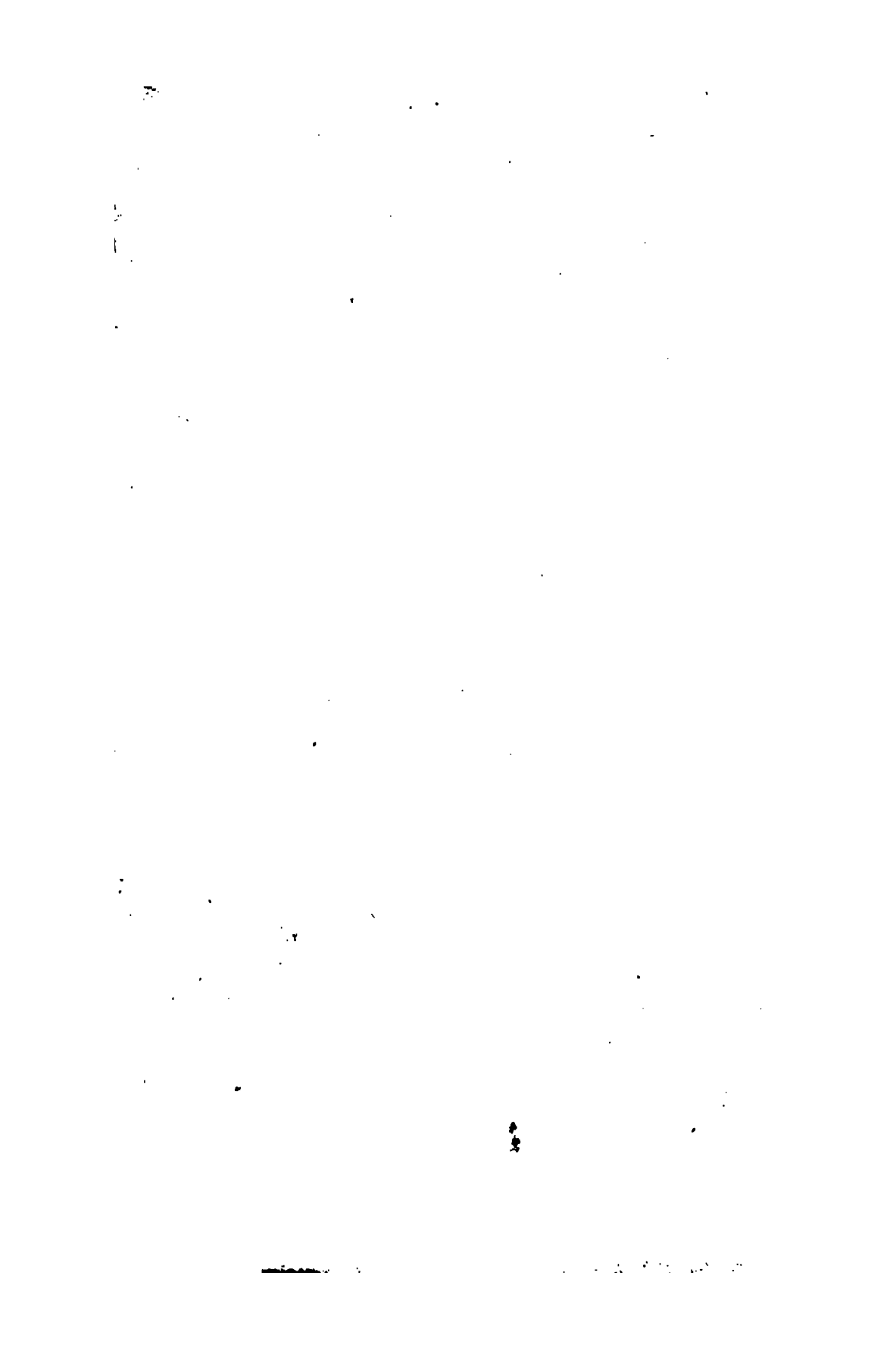
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THE
HISTORY
OF
NORTH CAROLINA,
FROM THE EARLIEST PERIOD.

—◆—
BY FRANCOIS-XAVIER MARTIN.
—◆—

*Colonia autem jura, institutaque populi Romani, non sui
arbitrii habebant.*

GEL. lib. 16, cap. 23.

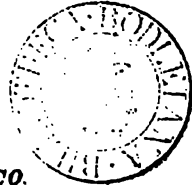
VOLUME I.

—
NEW-ORLEANS:

PRINTED BY A. T. PENNIMAN & CO.

Corner of Chartres and Bienville Streets.

1829.



Eastern District of Louisiana, ss.

BE IT REMEMBERED, That on the twentieth day of July, in the year of our Lord one thousand eight hundred and twenty-nine, and of the independence of the United States the fifty-third, FRANCOIS-XAVIER MARTIN, of the said district, hath deposited in the Clerk's office for the District Court of the United States for the Eastern District of Louisiana, the title of a book, the right whereof he claims as author, to wit:

"The History of North Carolina, from the earliest period. By François-Xavier Martin.

Colonia autem jura, institutaque populi Romani, non sui arbitrii, habebant.

GEL. lib. 16, cap. 23.

In conformity to an act of Congress of the United States, entitled "An act for the encouragement of learning, by securing the copies of maps, charts and books to the authors and proprietors of such copies during the times therein mentioned;" and also, to the act entitled "An act supplementary to an act, entitled 'an act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies, during the times therein mentioned,' and extending the benefits thereof to the arts of designing, engraving and etching historical and other prints."

FRANKLIN W. LEA,

*Clerk of the United Court for the Eastern District
of Louisiana.*

PREFACE.

AN historical inquiry into the discovery, settlement and improvement of the country, now covered by the important member of the North American confederacy, on the shores of which the English made their first attempt towards colonization, is certainly an object of general curiosity ; and the work has been undertaken, in the hope, that, if it be not too negligently performed, the youth of North Carolina may not find it void of interest and utility.

If it be true, that history is the best mean of teaching and exercising the minds of those who destine themselves to public life, this advantage will, more certainly and eminently be found in the annals of the country, which is to be the theatre of one's actions: especially, if these annals present the rare and interesting spectacle of a handful of adventurers, attempting, with incredible toil and danger,

a settlement in a new world, and after repeated disasters, successively falling victims to their enterprising spirit, and the cruelty and treachery of the aborigenes: next, that of a new set, continuing the like efforts, undismayed by a beginning so disastrous, enduring for years the combined calamities of famine, disease and war, succeeding at last, in laying the foundation of a colony, which suffered a long time, under the errors of a theoretical system of government, ill calculated for its moral and local condition, struggled afterwards under the oppression of an unnatural parent country, and finally, shaking off the yoke of dependence, through alternate vicissitudes of misfortune and success, became a powerful state.

Imperfect as the present publication is, it began to engage the attention of the writer as early as the year 1791: at that period, the legislature of North Carolina afforded him some aid, in the publication of a collection of the statutes of the parliament of England, then in force and use within that state. In preparing that work, he examined all the

statutes from Magna Charta to the Declaration of Independence, and an arrangement of all those which related to America, afforded him a complete view of the colonial system of England. In 1803 he was employed by the same legislature to publish a revisal of the acts of the general assembly, passed during the proprietary, royal and state governments, and the local information he acquired in carrying into effect the intentions of those who employed him, suggested the idea of collecting materials for a history of the state; and when afterwards he had the honor of representing the town of Newbern, in the house of commons, he was favored with a resolution of the general assembly, authorizing the secretary of state to allow him access to the records of his office. In the speeches of the governors, at the opening of the sessions of the legislature, he found a reference to the principal transactions during the recess, and there were few important events, particularly relating to the state, which left no trace on the journals of the legislature, or the proceedings of the executive.

During several journeys, which he afterwards made to several parts of the country, he received considerable information from individuals. Mr. George Pollock of Newbern, confided to him an official letter book, and several documents left by one of his ancestors, who came to the county of Albemarle, in the latter part of the seventeenth century, and who, in the beginning of the following, exercised the functions of chief magistrate over the northern part of Carolina. The late governor Johnson, a nephew of Gabriel Johnson, who presided over the affairs of the province from the year 1734 to 1754; governor Smith, who was in possession of the papers of president Rowan, and governor Ashe, whose ancestors were among the earliest settlers of the country, afforded considerable materials. The gentlemen in possession of the records of the Quaker meetings, in Perquimans and Pasquotank counties, and the head of the *Unitas Fratrum*, or Moravian Brethren, cheerfully yielded their assistance,

A citizen of North Carolina, being a citizen of the United States, has a right to expect, in a history of his own state, some notice, not only of the settlement of, but also of the most prominent events that took place in, the sister states; and, as the affairs of the mother country have necessarily a considerable influence on those of her colonies, the principal wars, in which England was engaged, must necessarily be noticed in the history of any of her American provinces. Under these impressions, the necessary information, in this respect, was sought in the most approved publications.

The writer imagined, he had collected sufficient materials to justify the hope of producing a history of North Carolina, worth the attention of his fellow citizens, and he had arranged all those that related to transactions, anterior to the declaration of independence, when, in 1809, Mr. Madison thought his services were wanted, first in the Mississippi territory and afterwards in that of Orleans; and when the latter terri-

tory became a state, the new government thought proper to retain him.

He had entertained the hope, that the time would arrive, when disengaged from public duties, he might resume the work he had commenced in Carolina; but years have rolled away, without bringing on this period; and a shock his health lately received during the year of his great climacteric, has warned him, that the moment is arrived when his intended work must engage his immediate attention, or be absolutely abandoned.

A circumstance, for some time, recommended the latter alternative. The public prints stated, that a gentleman of known industry and great talents, who has filled a very high office in North Carolina, was engaged in a similar work; but several years have elapsed since, and nothing favors the belief, that the hopes which he had excited, will soon be realized.

This gentleman had made application for the materials now published, and they would have been forwarded to him, if they had

been in a condition of being useful to any but him who had collected them. In their circuitous way from Newbern to New-York and New-Orleans, the sea water found its way to them: since their arrival, the mice, worms, and the variety of insects of a humid and warm climate, have made great ravages among them. The ink of several very ancient documents has grown so pale, as to render them nearly illegible, and notes hastily taken on a journey, are in so cramped a hand, that they are not to be deciphered by any person but him who made them.

The determination has been taken to put the work immediately to press, in the condition it was when it reached New-Orleans: this has prevented any use being made of Williamson's History of North Carolina, a copy of which did not reach the writer's hands till after his arrival in Louisiana.

The expectation is cherished, that the people of North Carolina will receive, with indulgence, a work, ushered to light under circumstances so untoward.

Very ample notes and materials are ready for a volume, relating to the events of the revolutionary war, and another, detailing subsequent transactions, till the writer's departure from Newbern, in 1809. If God yield him life and health, and his fellow citizens in North Carolina appear desirous these should follow the two volumes, now presented to them, it is not improbable they will appear.

Gentilly, near New-Orleans, }
July 20, 1829. }

THE
HISTORY
OF
NORTH CAROLINA.

CHAPTER I.

THE country, the history of which is now attempted to be traced, was first known to the Europeans, in the year 1512, twenty years after the landing of Christopher Columbus in the new world, as an undefined part of the vast section of the northern continent of America, which was then discovered by Juan Ponce de Leon, a subject of the crown of Spain. He gave it the name of Florida, either from its flowery appearance, or from the circumstance of his first discovering it on Palm Sunday. He landed on the most southern part of the continent, near a small river, which falls into the gulf of Mexico, a few leagues to the south of the present town of Pensacola.

Sebastian Cabot, however, had fifteen years before sailed along the eastern coast of that continent, from that latitude to the 56th degree, under a commission from Henry VII. of England, without any attempt towards a settlement.


On the return of Juan Ponce de Leon to Spain, his sovereign bestowed on him a grant of Florida. He soon after made a second voyage; but on his landing, the Indians fell on his men and massacred

the greater part of them. In the conflict, the chief received a wound, which put an end to his existence, shortly after his arrival in Spain.

The French made three fruitless attempts to establish a colony on the continent of North America, in the year 1535. In the year 1506, nearly thirty years before, Jean Denys, one of their navigators, sailed from Rouen, visited and drew a chart of the gulf of St. Lawrence; and Thomas Aubert of Dieppe, in the year 1508, had sailed up the river of that name, and it is said, that as early as the year 1504, fishermen from Normandy and Brittany visited its shores.

Lucas Vasquez de Aillon, in 1520, equipped two vessels in Hispaniola, for Florida, with the view of seizing on a number of Indians, reducing them to slavery, and employing them in working in the mines. He passed through the Lucaye islands, and discovered the continent in the thirty-second degree of northern latitude, and anchored between two capes, then called Chicora and Guadalpe, on the river afterwards called Jordan river. The Indians fled, on the landing of the Spaniards, who overtook two of them and carried them on board; and after giving them meat and drink, they suffered them to return to their friends. This courteous demeanor, induced the Indians to come on board in great numbers, bringing a large quantity of fowls and vegetables. The Spaniards landed again, and proceeded a considerable distance in the interior of the country, where they were received with great hospitality and friendship.

On their return, they invited a number of Indians to an entertainment on board; and weighing anchors in the



midst of it, brought away their unsuspecting hosts. One of the vessels was lost at sea; the other reached Hispaniola, but most of the Indians on board, perished, victims to their sadness, or an obstinate abstinence.

Other vessels went from Hispaniola to Florida, and brought away a number of Indians, who were reduced to slavery, and employed in working the mines.


Vasquez having obtained the king's privilege, sent several vessels to Florida, in 1524; and his ambition being excited by the information which he received, that the land was extremely fertile and contained mines of gold, sailed with those vessels in 1525, and proceeded to the river Jordan, where he lost one of his vessels on the cape of St. Helena, and two hundred of his men were, on his landing, massacred by the Indians.

In 1523 and the two following years, the same coast was explored with a considerable degree of accuracy, by Giovano Veranzany, employed by Francis I. of France.

Pamphilo de Narvaez obtained, in 1526, from Charles I. of Spain, the office of governor of all the lands which he might discover, from Rio de Palmas, to the confines of Florida. He sailed in the latter part of the year 1528, from the port of Yagua, on the southern coast of the island of Cuba; and having passed round the island, they left its northern coast, at the distance of twelve leagues above the Havana; and taking advantage of a strong southern wind, they reached the coast of Florida, in the gulf of Mexico, on the 12th of April. He landed on the next day, and procured fish and venison from the natives. It is said, one of their huts was so capacious as to be capable of sheltering three hundred men. He discovered in the possession of

the Indians, a cymbal of gold, which induced Narvaez to believe that this metal was in abundance in the neighborhood. He landed ten men and forty horses, and took possession of the land with the accustomed ceremonies. The Indians, though they could not make themselves understood by the Spaniards, manifested by their countenances and demeanor, the reluctance with which they received them. The Spaniards, proceeding farther, came to a tribe of Indians who received them better, and supplied them with corn; and saw here some boxes containing the skeletons of dead men, covered with skins. Narvaez sojourned several days near these Indians, and made frequent excursions into the country, during which he had several skirmishes with them. At last, destitute of provisions, and finding nothing but a sterile country and impassable roads, he re-embarked; but the greatest part of his men perished, through fatigue, hunger and disease. Those who escaped these complicated disasters, reached Rio de Palmas. Narvaez was not among them: his ship foundered in a storm, and he was never heard of.

A little more than ten years after, Ferdinand de Soto was sent by the crown of Spain as governor of Florida. More fortunate or more prudent, at first, than those who had preceded him, he effected the landing of the colonists who accompanied him, without the loss of any of them: they were as numerous as those whom Narvaez had brought from Spain. For a while, this was the first successful establishment of a colony of Europeans on the continent of North America. It supported itself during five years against the natives who at last vanquished and destroyed it. The Spaniards during that



period made no effort to obtain their subsistence by agriculture: they employed their time in excursions into the country, in a fruitless search after the precious ores.

Jacques Cartier is said to be the navigator, who in the year 1534, gave the name of St. Lawrence to the gulf and river, from the circumstance of his entering them on the day of the festival of that Saint. In the following year, he wintered in the country, now called Canada, to which he gave the name of New France. He went as high up as a place then called Hochelaga, now Montreal. He returned in the year 1540, and began a settlement at a short distance from the spot on which the city of Quebec was afterwards built. Two years after, Mons. de Robertval, with two ships and two hundred men proceeded up the river St. Lawrence, twelve miles above the island now called the island of Orleans, built a fort, and wintered there.

In 1544, Carthagen was invaded by a company of French adventurers. This is the first act of hostility between European nations, in the new world.

Although the British nation had yet made no effort to form any establishment in America, their ships had for several years been engaged in the fishery at Newfoundland. In the year 1548, the first British statute relating to America was passed; the object of it was to repress the extortions of the officers of the admiralty, who demanded a duty or part of the profits on every voyage made to Ireland, Iceland and Newfoundland.

In 1549, Charles V. of Spain, sent Lewis de Beluastro, a Dominican friar, to Florida, with orders to

reduce the natives to the Christian faith and Spanish obedience; and he and two of his followers were slain, and eaten by the savages.

The country remained unnoticed by the Europeans until the year 1562, when Jasper de Coligny, admiral of France, procured two vessels to be fitted out, under the orders of Jean Ribaud, for the ostensible purpose of discoveries on the eastern coast of the continent of North America, but perhaps with a view of securing an asylum for the protestants of France, if a continuation of ill success should destroy their cause in that kingdom. The adventurers made the land in the highest degree of northern latitude, near a cape to which they gave the name of *Cape Français*; it is one of the promontories of the estuary on which the town of St. Augustine now lies, and they landed on the banks of the river St. Mary, which now separates Florida from Georgia. After spending some time in reconnoitering the country, and carrying on some little trade with the natives, finding themselves in no condition to effect a settlement, they returned home, bringing to their countrymen the best account of the climate, the country and its inhabitants, which their short stay could enable them to procure.

The admiral, charmed with the report, determined on forming a settlement, that might afford him and his companions a retreat, which the circumstances of the times rendered daily more necessary. Unforeseen difficulties delayed the small fleet which he procured for this purpose till the year 1564. Five or six ships then carried as many hundred persons to begin a colony, under the orders of

Rene Laudoniere. They disembarked at the place of landing of the first expedition. They immediately commenced the building of a fort, which was called *Arrx Carolina*, or *Fort Charles*, and the country *Caroline*, in honor of Charles IX. who then filled the throne of France. The colony was hardly settled, when the Spaniards, who then asserted an exclusive right to the whole continent, sent a considerable force under Admiral Don Pedro Menendez to attack it. The French, too small in number to offer any resistance, sought their safety in submission; but the cruel enemy, deeming that no faith needed to be preserved with the Huguenots, disregarded the promise, under which the weaker party had been induced to yield, and treacherously put them to the sword. A few, however, escaped to the woods: they were pursued and hung to the trees, with this deriding inscription, *not as Frenchmen, but as Heretics.*

Far from endeavoring to avenge this outrage, the ministers of Charles VII. rejoiced at the miscarriage of a project, which indeed they had sanctioned, but which they did not relish because it had originated with the chief of the Huguenots, and the success of it might have given strength to their cause. The fanaticism of the times confirmed their resolution to manifest no resentment; an individual was to do what the nation ought to have done.

Dominique de Gourgues, a Gascon, an able and bold navigator, the known enemy of the Spaniards, on whom he had personal injuries to avenge, ardently attached to his country, fond of hazardous undertakings and of glory, sold his patrimony, built

a few vessels, and uniting to himself some choice companions, went in pursuit of the murderers of his countrymen in America, drove them from one fort to another; vanquished them every where, hung a number of them to the trees on the sea shore, and opposing derision to derision, inscribed over them, *not as Spaniards, but assassins.*

Here ended this expedition. De Gourgues, either from want of provisions, or the apprehensions that the friendship of the Indians would cease, with the means of purchasing it, or that the Spaniards might arrive in numbers sufficient to overcome him, destroyed all the forts which they had erected, and sailed back to France. He was received by his countrymen with all the admiration he deserved: not so by the court; despotic and superstitious, it had every thing to fear from virtue.

Neither the French nor the Spaniards made any further attempt to transplant a colony into Caroline; this was to be the work of the English. Their first attempt was made in 1584. On the 22d of July of that year, the English flag was displayed before the shores of Carolina by Arthur Barlow and Philip Amidas. They were the commanders of two small vessels built by Sir Walter Raleigh, who had obtained from queen Elizabeth a patent, authorising him, his heirs or assigns, to take possession of such remote, heathen and barbarous lands, as were not occupied by any Christian prince. Amidas and Barlow had sailed from the Thames, and taking their route by the Canary and West India islands, had approached the continent towards the gulf of Mexico, after a passage of fifty-seven days.

A fragrant odour wafted to the adventurers, the glad tidings of the vicinity of the land, some time before they could descry it. The coast at first offered no convenient harbor, and they sailed by it for upwards of one hundred miles, without discovering any. They entered however with difficulty and caution, the first inlet which they saw, and having returned thanks to God, went ashore to take possession of the land in the name of their sovereign.

At first, they judged themselves on the continent, but taking advantage of an eminence, they discovered that the sea surrounded them. The island appeared to be seventy miles in length, and six in breadth: it lay between cape Fear and cape Hatteras, and was very low, and is concluded to be that of Ocracock, or some other near it along the coast, now in the county of Carteret. Stately cedars, pines, cypress, sassafras, and other trees of a fragrant smell, covered it; on them numerous and large clusters of grape hung in natural festoons; and the land abounded in deer, raccoons, and wild fowls. They were nearly three days on this island, without seeing any of the natives; on the third, three Indians came in a canoe from the main land; they fearlessly approached the strangers, and one of them went on board one of the vessels; he chattered much, ate, drank, and gladly accepted a shirt and a hat, which were presented him; after viewing attentively every thing on board, he went away, and in a short time returned with his canoe loaded with fish.

On the next day, a great number of Indians came in large canoes: among them was the king's brother; the English learnt from him that his name was

Granganameo, that of the king Wingina, and that the country was called Wingadocea, and the island Woccon. The natives were generally tall and well shaped, very respectful to the chief, and courteous to each other. The king lay at the principal town, ill from the wounds he had lately received in battle. Granganameo sat down on a mat, which was spread for him, and received the English, without manifesting the least fear, as they approached him with their arms; he invited them by signs to sit down, and stroked his own head and breast and then theirs, as a mark of courtesy. Four of the natives sat down also: the others stood up around. The English made presents to Granganameo, and the four Indians who were sitting; but he took the whole to himself. The parties having spent some time in traffic, separated.

Two days after, Granganameo paid the English another visit, came on board, and ate and drank merrily. He had brought a quantity of dressed deer skins, which he bartered for a copper kettle and a pewter plate. The latter pleased him so much that, boring it in the rim, he hung it to his neck as a breastplate. He afterwards brought his wife and children to see the vessels: she was of a short stature, but remarkably well made; her behaviour was modest. She had on a long loose coat, with a short apron of leather; a band of white coral encircled her temples, and strings of large pearl, hung from her ears down to her waist. The children were fancifully decked with red copper and feathers. The women who attended her, had pendants of red copper in their ears.

The Indians came daily from the surrounding shores, with leather, coral, several kinds of dye stuffs, bucks,

rabbits, hares, fish, melons, cucumbers, and various roots.

An acquaintance having been thus contracted, by mutual beneficence and kindness, Amidas ventured, with a party of seven men, up the sound, now called Pamplico, then Occam. He reached, on the following day, an island, then, and still called Roanoke, now in the county of Currituck; and went up to a small village, consisting of nine houses, one of which, was that of Granganameo. It was large, divided into several apartments, built of cedar, and fortified around with sharp pieces of timber. The village itself, was surrounded by a high pallisade, which had a gateway, guarded by a sort of turnstile. The chief was from home, but the visitors were received and entertained by his wife, with courteous hospitality. She despatched some of her people to draw up the boat of her guests, and bring the oars to the house: she washed their feet in warm water, and conducted them into an inner room, laid before them boiled venison, roasted fish, and hominy; melons, baked roots, and various fruits, were afterwards offered. In the evening, the English retired to their boat, and putting a little off the shore, lay at anchor. She seemed concerned at the distrust which this caution seemed to manifest. Her attention to their comfort was not, however, lessened. She had their supper brought to the shore, and made several Indians remain there as a guard, during the whole night.

The English were informed, that on the main land, on the shores of the great river Occam (Pamplico sound) stood a large town called Ponaecock, (supposed to be near the mouth of Gibbs' creek, in the present county of Hyde) and at the distance of six days march, another,


called Skihoah. They were told also of a river called Cibo, which fell into Occam, in which were large quantities of muscks, bearing pearls.

Wingina's dominions extended westward, as far as Chowanock river, and southerly, to Secotan, a town equi-distant from Neuse, Tar river and Pamplico sound. There began the dominions of Piamancum, king of the Nussocks, whose chief town was called Pomonick. The Wingadocea and Nussock Indians had lately concluded a peace, which had terminated a very long and bloody war, occasioned by the treachery of the latter, who, having invited the inhabitants of the town of Secotan to a feast, had slain the men, and detained the women as prisoners.

Amidas returned to the shipping the next day. With a view to try the strength of the soil on the island before which they lay, they had committed to the ground a few peas; after ten days, they had risen to the height of fourteen inches.

The English being too small in number to attempt a settlement, and the present being only a voyage of discovery, a few days were spent in obtaining the best information respecting the neighbouring continent, and trafficking with the natives, who daily came on board to barter their rude productions, for the commodities of the English, especially for their iron and other useful metals; after which the vessels sailed for England, where they arrived on the 15th of September. Two of the natives, Manteo and Manchefe, voluntarily accompanied Amidas.

Queen Elizabeth was so much pleased with the splendid description, which the adventurers gave of the climate, the soil, and the productions of the country



they had visited, that, flattered with the idea of possessing a territory abounding with such advantages, she gave it the name of Virginia, as a memorial of its having been discovered under the auspices of a virgin queen.

Sir Walter, anxious to take possession of so valuable a property, fitted out, early in the following year, seven small ships laden with arms, ammunition, and provisions, with the view of carrying thither a sufficient number of colonists, to effect a permanent settlement. He gave the command of this small fleet to Sir Richard Grenville, his kinsman, whom he had interested in the enterprise; who left Plymouth on the tenth of April, taking the southern route. He spent some time cruising against the Spaniards in the West Indies, and did not arrive on the continent till the latter part of June; and landing on both the islands of Ocracock and Roanoke, visited the shores of the continent along Pamlico and Albemarle sound, and a great lake called Paquinip, now Mattamukee. Parties of his men went out northerly, as far as the bay of Chesapeake; westerly, to the Chowanocks, up Weapomoc river, (Albemarle sound) on the shores of which, were the towns of the Pasquenocks, Pasquotanks, and Chepawry, in that part of the country now known as the county of Perquimans, Muscamung, the westernmost town of Wingadocea; thence along Chowanock (Chowan) river; they went to the town of Mavaton, on the eastern bank of that river, near the spot on which Canon's ferry has been established, and higher up that of Opanock, on the opposite bank, a little below the confluence of Meherrin and Nottoway rivers. The Indians in this settlement were very numerous, and in time of need were able to send forth seven hundred warriors: the


English found about half way between Roanoke and Tar rivers, the town of Wanjoacks and that of the Pananarocks on the latter.

Sir Richard, next proceeded to cape Hatteras, where he was visited by Granganameo, who came to renew his acquaintance with the English; this was the last time they saw that chief, who died a few days after.

On the 25th of August, Sir Richard, sailed for England, leaving a colony of one hundred and eight persons, under the orders of Ralph Lane. The choice of this spot was not fortunate, the island being in a bleak sound, and destitute of a convenient harbour.

The chief, as well as the most beneficial object of the attention of the colonists, after providing the means of subsistence, ought to have been the attainment of an accurate knowledge of the country around them; to this they were not absolutely inattentive, neither were their labors altogether unsuccessful. Gold, however, was the principal inducement that tempted Europeans to visit America; and towards the discovery of mines were the thoughts of the adventurers incessantly bent. They had persuaded themselves that the country of which they were in possession, could not be destitute of precious metals, with which, America was imagined to abound.

With a view to realize the fond hopes which they entertained, the colonists reconnoitred the neighbouring continent. The Indians soon discovered the object which the English sought with so much avidity: and Menotoscon, king of the Chowanocks, amused governor Lane, with tales of rich mines in the western parts of the country, which they had not yet explored. He spoke of a copper mine, and a pearl fishery; and gave an



account of the river now called Roanoke, which, he described as rising from a rock so near the sea, that, during high winds, the surge beat over the spring. The governor sanguinely concluded this sea to be the gulf of Mexico, the Pacific Ocean, or some arm that opened into it. Their heads being filled with these chimerical ideas, the English formed various schemes, and undertook a fatiguing and hazardous journey up that river, at the instigation of Wingina, to visit the Moratuck Indians, the great nation called the Morjoacks, a number of other warlike tribes, and a great king, who dwelt at some days journey from the head of the river. So eager were they, and so resolutely bent on discovery, that they could not be induced to return, as long as they had a pint of corn a man, left, and two mastiff dogs, (which they boiled with sassafras leaves) that might afford them sustenance on their way back. However, after several days, having vainly undergone great hardship and danger, they at last returned, and joyfully reached their habitations on Roanoke island.

The death of Granganameo had caused a great alteration in the affairs of the colony. His credit with Wingina, his brother, and the interest of Ensenore, their father, had restrained the king's malice and perfidy within some bounds; but, on the death of Granganameo, he changed his name to that of Pennissassan, and became a secret, but a bitter enemy to the English. To his machinations, were chiefly owing the hardships they had undergone in their journey to the Chowanocks. He had given secret intelligence to those Indians, of the approach of governor Lane; and had sown seeds of discord, between the white and red people. But a rumor being spread, that governor Lane and his party were all

slain, or starved in their journey up Monattuck, he began to blaspheme the God of the English, and endeavoured, by all the devices in his power, to annoy and distress them.

Ensenore, his father, the best friend the English had, after the death of Grañanameo, lost all his ability to serve and assist them. But their return with the son of Menatonon, (one of the greatest Indian kings) as a prisoner, joined to the testimony of Manteo, and the other Indians who had accompanied them, showing how little the English valued any people they met with, or regarded toils, hunger or death, restrained, for a while, his devices, and brought Ensenore again into credit and esteem.

The king of the Chowanocks, soon after, sent a present of pearl to governor Lane, and Okisko, king of the Weapomeaks, who possessed all the country between Chowan river and Albemarle sound, up to the bay of Chesapeake, came, attended with twenty of his chieftains, who, with their king, acknowledged their subjection to the king of the English. This circumstance, and the persuasions of Ensenore, induced Wingina to seek, at least in appearance, the friendship of the English. He came with his people, planted their fields, and made weirs for them, when they were near famishing. This good understanding was not, however, of long duration. The death of Ensenore put an end to it. For Wingina, under pretence of celebrating his father's funeral rites, laid a scheme of assembling sixteen or eighteen hundred Indians. With this force he intended to cut off all the English at once. But his design was discovered to governor Lane, by his prisoner Okisko, the son of a king of the Chowanocks. The

governor in his turn, endeavored to seize on all the canoes on Roanoke, with the view to secure the Indians on the island. They took the alarm, and a small skirmish ensued, in which five or six Indians were slain, and the rest effected their escape. A mutual distrust succeeded, until Wingina, being entrapped by the English, and killed, with eight of his men, the Indians were intimidated into a peaceable demeanor.

The colonists having been inattentive to the culture of the ground, and the provisions which they had brought from England, being nearly exhausted, they found themselves under the necessity of imitating the natives, and resorting for food to the precarious supplies afforded them by the water and woods. This resource proved insufficient; and governor Lane sent parties of his men in different directions, to procure subsistence. Some went to the main to support themselves on roots and oysters. Twenty men were sent, under the orders of captain Strafford, towards the Croatans, a nation of Indians then living on the southern shore of cape Lookout; and a Mr. Prideaux, went with twenty others, to cape Hatteras, to shift for themselves, and espy any sail passing by the coast, from which relief might be expected.

These two detachments had not been long out, when one of captain Strafford's men returned to the island, bringing information of the approach of a fleet of twenty-three sail; and on the following day, the captain himself came, and handed to governor Lane, a letter from Sir Francis Drake. The admiral was on his return from a successful expedition against the Spaniards, in South America, having taken Carthagená and the capital city of Hispaniola, burnt the forts of St. Augustine and St.

Helena, on the coast of Florida, and done much other injury to the enemy. He had been ordered to visit, on his return, the colony of Virginia, and to afford it protection and assistance. He agreed to supply governor Lane with one hundred men, a small vessel, and provisions for four months. But, before he could afford this relief, his scheme was defeated by a sudden and violent storm, which forced out to sea, among many other ships, that, on board of which were the men and provisions, destined for the colony.

Discouraged by this misfortune, and worn out with fatigue and famine, the colonists unanimously determined on abandoning the country in the summer; or as soon as the discoveries they could make, would justify their return.

For this purpose, a ship of one hundred and seventy tons, with sufficient provisions, was detached from the fleet; but, as she was of too great a burden to lie, with safety, in any of the harbors of the colony, and there was too great a danger in suffering her to ride in an open road, they prevailed on Sir Francis to take them on board of the fleet, which sailed for England on the 19th of June; and they landed in Portsmouth, in the latter part of the following month; the colonists having remained about one year in Virginia.

Such was the inauspicious result, of the first attempt to plant an English colony, on the continent of North America. The nation derived from it no other advantage, than some knowledge of the country and its inhabitants, and of the introduction into England of a nutritive root, the cultivation of which, has since been wonderfully extended, principally in Ireland; and which furnishes now, a welcome dish to the table of the wealthy,

and a cheap food on that of the poor: and that of a weed of singular strength and power, tobacco, the use of which, gradually extended itself to every class of society and the demand for which has become almost universal.

Harriot, a man of science and observation, who accompanied governor Lane, published, on his return, a short treatise, in which, he described with great accuracy, the climate, soil, and productions of the country.

According to his account, the natives were generally well proportioned, straight and tall, their eyes black, or of a dark hazle, the white part streaked with red; their complexion was tawney, their bodies being kept daubed with bear's grease, blackened with burnt coals, or reddened with the powder of a root, which they obtained from the Indians, who dwelt in the hilly part of the country.


They believed in one eternal Supreme God, the creator of the world, and in the immortality of the soul. They had an idea of a future state of rewards and punishments, and imagined that there were Gods of an inferior order, who had assisted the Supreme one, their creator, in the foundation of the world: and that mankind had sprung from a woman, who had conceived in the embraces of one of the Gods. They founded these doctrines, on the authority of two persons, who had risen from the dead. The influence of these tenets, however, on their priests and chiefs, was much weaker than on the common people. The former, like the great in civilised countries, freeing their consciences from the shackles of a creed, and their actions from the restraints of religion, and sometimes of morality.

They were not, however, so firm in these opinions, as to close up their minds against information. They

admired the watches, compasses, guns, burning glasses, and other instruments of the English, and thought they were the work of the Gods, or at least, that the Gods had taught the English how to construct them. Hence they listened with great attention, to conversation on religious subjects. Wingina himself joined the colonists in their prayers; and when he was sick, attributing his situation to some offence given to the God of the white people, he would beg them to pray for him, and intercede that he might dwell with him after death. Once, when a long drought had withered their corn, they considered their misfortune, as the punishment of their ill conduct towards the English; and they promised them a portion of their corn, if they would pray to their God to cause it to ripen.

The estimation in which they held the English, was considerably heightened, by a curious accident. An epidemical disease visited the country; the English were free from it; and it fell with greater violence on some Indian tribes, against whom they had causes of complaint. The Indians thought it was the work of the God of the whites, or that the English shot invisible bullets at their enemies; while others, noticing that they had no women of their own, and appeared not to care for any of theirs, imagined they were not immediately born of women, but were individuals of a past generation, risen to immortality; that there were more of them still, in the air, as yet invisible; and who, at the entreaty of the others, made Indians die by shooting invisible bullets at them.

The English, in their intercourse with the Indians, acquired a relish for their favorite employment of smoking tobacco. The plant grew spontaneous in the



country ; the natives called it Uppewock : they cured and dried the leaf, and ground it into powder, which they put into earthen tubes and drew the smoke through the mouth ; it was in so high an estimation among them, that they had a tradition, that the Gods themselves delighted in the use of it. They sometimes lighted fires, into which they threw powdered tobacco as a sacrifice ; and when they were caught in a tempest in crossing Occam, the wide sound of Pamplico, they imagined the angry deities could be appeased by throwing it into the air and on the water. They implored the blessing of good luck upon their new nets, by casting some of it upon them ; and when they had escaped some eminent danger, they threw some of this dust in the air, with antick gestures, stamping the ground in time, and cadence, clasping their hands, and throwing them up with discordant cries.

Divided into small, independent tribes, each under its particular chief, they were much addicted to plunder, and for that reason, frequently engaged in contention and strife. A regard to mutual defence, had produced alliances among them.

Deriving their principal subsistence from the chase and the water, they bestowed very little attention on agriculture ; they seemed to have no idea of any other than national property in land. They were accustomed frequently to change their abode, finding it convenient to wander from one place to the other, according as they were invited by the abundance of the game or fish : unrestrained in their migrations by the cares of husbandry, or the possession of any property in cattle or land.

They were much addicted to theft and rapine : and their notions of *meum* and *tuum*, were so limited, that a disregard of them could not be considered as a crime.

Inhabiting, for the most part, marshy, or low sandy land, they were frequently in great dearth of provisions; and instigated by want and hunger, the strong and the weak could seldom withstand the temptations of violence and fraud. When, in their frequent migrations, a number of them settled in any part of the country, which wide water and extended dismal swamps separated from the habitations and range of the rest of the tribe, inclination and regard to mutual defence induced them to live together, and avoid as much as possible, any intercourse with the bulk of the tribe, who felt disposed to treat straggling individuals as enemies; and when, in course of time, their multiplication rendered the colony too numerous, for the scanty supplies which the spot afforded, parties went to establish themselves at a distance, without dissolving the connexion, which had subsisted between them, and those they had last left behind.

The tribes were longer on the ground they occupied, as it afforded, by the vicinity of the water, or the abundance of the game, an easier subsistence to their members.

Accounts of the climate, represented it as unfavourable to health. During the summer months, the weather was extremely sultry, so as to render an exposure to the heat of the sun dangerous. Even the nights, were said to be seldom so cold as to afford refreshment. In the middle of the day, sudden

storms overclouded the sky, before clear and serene, and caused such quick alteration in the air as to chill the limbs, still moist with sweat, stopping perspiration, and often occasioning fatal diseases. In the fall, notwithstanding the coolness of the air, while the sun was under the horizon, it became oppressively hot when he was at a short distance from his meridian height; and heavy dews and thick fogs, rendered this season fatal. During the winter, an excessive degree of cold was, at times, though rarely, severely felt; but alternate and sudden changes between freezing and hot weather, distressed the colonists. Every shift of wind, brought on a sensible alteration in the temperature of the atmosphere. The spring began early, but was considerably retarded in its progress, by the return of sharp and piercing winds, bringing back frost and snow, and the charms of that season were hardly noticed, when the extreme heat of the next was already felt.

The colonists had been surrounded by a number of Indian tribes, some of whom were hostile, and all of them warlike; and neither of whom saw, with much complacency, a part of their country, occupied by individuals widely differing from them in appearance, manners and language. But spirituous liquor, an article which few Indians can taste, without craving more, and more, until it subdues reason, and for which, most will part with any thing they have in the world, rendered them the slaves of their guests; and if there were any of them who withstood that temptation, knives, hatchets, hoes, and spades, were objects of inappreciable value in their eyes. Those who ministered, as well to the real, as the imaginary wants of the aborigines,

could not fail being considered as welcome guests, or desirable inhabitants. The nearer tribes were supplied with the means of rendering themselves terrible in arms, by the use of fire arms ; and the friendship of the whites was courted, with a view to obtain this advantage, or prevent its being afforded to the enemy. By this means, allies were acquired among the neighbouring tribes, and securities against the attempts of distant ones.

On the return of governor Lane, with his colonists, to England, the British were without any establishment in America. There was not a single individual of that nation living under British laws, in the new hemisphere ; the possessions of the Spaniards and Portuguese, in South America, were considerable. In North America, the crown of Spain had one or two forts on the coast of Florida. The French had a growing establishment in Canada. We have noticed their progress in those parts as far as the year 1535 ; in that year, Jacques Cartier, having carried off in his ship one the Indian chiefs ; the circumstance so exasperated the natives, that, for a very great number of years, they absolutely refused to allow the French any trade in Canada. But towards the year 1581, a bark of thirty tons sailed up the river St. Lawrence, from France, and was permitted to trade. Soon after her return, a ship of eighty tons, was fitted out of the island of Jersey ; and in the year of 1583, three large French ships were employed in the trade to Canada ; one of one hundred and eighty tons, one of one hundred, and one of eighty.

The British, the French, the Spaniards, and the Portuguese, had many ships employed in the codfishery of New Foundland. As early as the year 1577, the

French had one hundred and fifty, the Spaniards one hundred, and the British and Portuguese fifty ships, fishing there. The English are said to have had the best ships, and to have there given the law to those of other nations ; and it is said, to account for the small number of their ships in that part of the world, that they employed many in the fishery at Iceland, where the French from Biscay, had twenty or thirty ships, to kill whales for train oil.

Purchas—Smith—Stith—Marshall.

CHAPTER II.


Sir Walter Raleigh, in the year 1586, had provided a ship of one hundred tons, to carry succour to governor Lane and his men; she, however, did not sail till the middle of April, and did not reach Virginia, till the latter part of June; a few days after the departure of the colonists in Sir Frances Drake's fleet. Her commander, after having spent some time in fruitless endeavors to discover them, returned to England with his lading.

A fortnight after, Sir Richard Grenville arrived with three other ships, and an ample supply of provisions, but was unable to obtain any account of the ship which had preceded him, or of the men, whom, in the preceding year, he had left on Roanoke; he sailed up and down the principal sounds and rivers, in useless quest of them; at last, unwilling to forego the right of possession, he returned to the island, where he landed fifteen (some writers say fifty) men, to whom he gave a supply of provisions, and returned to England.

In the following year, three ships were sent to Virginia, under the command of John White, who was appointed governor of the colony, and was accompanied by eleven persons, who were to be his counsellors and assistants. Their names were Roger Baily, Ananias Dare, Simeon Fernando, Christopher Cowper, Thomas Stephens, John Sampson, Thomas Smith,

Dyonisius Harvey, Roger Pratt, George Howe, Anthony Cage. Sir Walter gave them a charter, incorporating them under the style of "the governor and assistants, of the city of Raleigh, in Virginia;" and directed them to make their first settlement on the shores of the bay of Chesapeake, and to erect a fort there. This expedition took the old route, by the way of the West Indies, and narrowly escaped destruction, on the shores of cape Fear. The danger which they ran was imputed to the carelessness, and by some, to the design of a sailor, who had accompanied Amidas in his first voyage, and was now acting as a pilot; he was suspected of an intention of occasioning the miscarriage of the expedition; but the vigilance of captain Strafford, who commanded the vessel on board of which this man was, prevented any fatal consequence; and they all arrived safe at cape Hatteras, on the 22d of July.

The governor, with forty of his best men, went on board of the pinnace intending to pass up to Roanoke, in the hope of finding the men, whom Sir Richard Grenville had left there the year before; and after a conference with them, concerning the state of the country and the Indians, to return to the fleet, and proceed along the coast to the bay of Chesapeake, according to the orders of Sir Walter Raleigh; but no sooner had the pinnace left the ship, than Simon Fernando, the principal naval commander, who was named as one of the governor's assistants, although he was destined to return soon to England, called to the sailors on board the pinnace, and charged them not to bring back any of the colonists, except the governor, and two or three others whom he approved, but to leave them on the island; for the summer, he observed, was far spent, and he would




not land the planters in any other place. The sailors on board the pinnace, as well as those on board of the ship, having been persuaded by the master, to this measure, the governor judging it best not to contend with them, proceeded to Roanoke. At sun set, he landed with his men at the part of the island, on which Sir Richard Grenville landed his men, but discovered no sign of them, except the skeleton of a man who had been killed by the Indians. The next day, the governor and several of the new comers, went to the north end of the island, where governor Lane had built a fort and several dwelling houses, the year before, hoping there to find some sign, if not certain information of the men left there by Sir Richard Grenville. But on coming to the place, and finding the fort razed, and all the houses, though standing unhurt, overgrown with weeds and vines, and deer feeding within them: they returned in despair of ever seeing their looked-for countrymen alive. Orders were given on the same day, for the clearing and repair of the houses, and the erection of new cottages. All the colony, consisting of ninety-one men, seventeen women, and nine children, in all, one hundred and seventeen persons, soon after landed, and commenced a second plantation.

George Howe, one of the governor's assistants, having wandered to some distance into the woods, was attacked and slain, by a party of the Dassamonpeake, a tribe who dwelt on the main opposite to the island, in the neck formed by the river Alligator and the narrows, which now forms the lower part of the county of Tyrell.

As soon as the houses were cleared, and measures taken for sheltering the colonists, governor White sent

captain Strafford, with a party of twenty men, to the Croatans, a friendly tribe, who dwelt on the southern shore of cape Lookout, in that part of the country, now known as the county of Carteret, with the view of obtaining some information of the place to which the men, left by Sir Richard Grenville, had retreated. He learned that they had been surprised by a party of Indians, of the Secotan, Agnascoga, and Dassamonpeake tribes, who, having treacherously slain one of them, compelled the rest to repair to the house, in which they kept their provisions and weapons, which the Indians instantly set on fire ; that the English leaving the house, skirmished with the assailants for above an hour ; that in this skirmish, another of their number was shot in the mouth with an arrow, and died ; that they retired, fighting to the water side, where lay their boats, with which they fled to cape Hatteras ; that they landed on a little island, on the right hand of the entrance into the harbor of Hatteras, where they remained a while, and afterwards departed, whither they knew not. Unable to obtain a more satisfactory account of his countrymen, captain Strafford returned with his party, to the fleet at Hatteras.

The governor endeavored to renew and preserve, a good understanding, with the nations of Indians in the neighbourhood, but found it necessary to chastise the Dassamonpeake, who had murdered George Howe, and still continued troublesome. In the dead of night, he left the island of Roanoke, accompanied by captain Strafford and a chosen party of twenty men, guided by Manteo, who had ever remained a firm friend of the English. They reached the main by break of day, marched up to the town, and, discovering some Indians sitting around a fire, they discharged their pieces at



them: one was shot down, and the governor, judging the murder of George Howe sufficiently expiated, desired Manteo to inform the others, they had nothing more to apprehend. The English had scarcely grounded their arms, when they discovered they had fired on a party of their friends, the Croatans. These men having heard that the Dassamonpeake Indians, fearing the revenge which the English had come to execute, had fled and left their corn ripe and ungathered, had come to cut and carry it away. Both parties joined in securing as much of it as was fit to be taken down, and retired, leaving the rest unspoiled.

On the 13th of August, Manteo was baptised, according to the directions of Sir Walter Raleigh, and in reward for his services to the English, was called Lord of Roanoke, and of Dassamonpeake.


On the 18th, Eleanor, a daughter of governor White, who had accompanied him, and was married to Ananias Dare, one of his assistants, was delivered of a daughter, who was the first child born from English parents, in the new world; she was named Virginia.

The supply of provisions brought from England, being considerably reduced, and necessity requiring immediate attention to the renewal of it, the colonists besought governor White to return to England, and solicit some further relief. He yielded to their entreaties, and sailed for England on the 27th of August, having remained but thirty-six days in his government. At his departure, the colony consisted of one hundred persons, and one of the islands near cape Hatteras, had been selected for its principal settlement.

Governor White, on his arrival in England, found the nation in a great commotion, occasioned by a rumor

of an impending invasion by the Spaniards, who had fitted out an immense fleet for that purpose. A council of war had been formed by the queen, and charged with the direction of the warlike preparations which the emergency called for. It was composed of such persons as were in the highest reputation for military knowledge. Sir Walter Raleigh, Sir Richard Grenville, Ralph Lane, governor White's predecessor in Virginia, the persons whose exertions he had come to solicit, had been honored with seats at this board, and their time was taken up in the discharge of the duties, which their appointment imposed. However, in a little time, Sir Walter found leisure to fit out a small fleet for the relief of his colony; and it was to have sailed early in the following year, under the orders of Sir Richard Grenville; but the alarm, occasioned by the formidable armament made by the king of Spain, increasing, every ship was impressed, and Sir Richard was summoned to attend Sir Walter, in the county of Cornwall, and assist him in training the troops arrayed there. Governor White, in the mean while, exerted himself so much, that he obtained two barks, with which he sailed from Biddefort, on the 22d of April.

The crews of these vessels, who were more anxious to enrich themselves by plunder, than to hasten to the relief of their distressed countrymen, attacked every Spanish vessel they met; and one of the barks falling in with two large ships of that nation, was, after a bloody fight, overcome, boarded and rifled. In the most distressed condition, unable to continue her voyage, she returned to England. Three weeks after, the other came in, in the same plight, and the voyage was abandoned to the great distress, and finally, the utter ruin



of the colony, and the great regret of its patron and founder.


Sir Walter was much dispirited, by the disappointment of the fond hopes he had hitherto entertained, and the miscarriage of all his attempts to settle his colony, notwithstanding the rare sums he spent in the prosecution of his darling scheme. His attention being engaged in the warlike enterprises of the day, he determined on the transfer of his interest, in the discoveries made, under the patent he had obtained from his sovereign, to governor White, and some merchants and adventurers of the city of London.

Accordingly, by an indenture, which bears date, the 7th of March, 1589, he granted to Thomas Smith, John White, and others, full power to carry to Virginia, such of the queen's subjects as might be willing to go thither, and to plant and inhabit the country, with free trade, to them, their heirs, and assigns, to and from Virginia, or any part of America, to which he might claim an interest, title, or privilege. Sir Walter, in this instrument, takes the title of chief governor of Assamacomoe, alias Wangadacca, alias Virginia; and he finally closed his concerns in the colony, by a donation of one hundred pounds sterling, to be appropriated to the promotion of Christianity among its inhabitants.

The supplies which governor White had come to solicit, were much delayed by this transfer of property. The assignees suffered twelve months to elapse, before they procured any shipping to carry relief to the colonists. Three ships were at last equipped at Plymouth, and sailed under the orders of governor White. on the 20th of March, 1590; a thirst for plunder induced the crews of these ships, to lose again, a considerable time,

by taking the West Indies in their route ; and it was not till the 3d of August. that the expedition fell in with some of the sandy islands. near Ocracock ; from thence they proceeded to Hatteras. which they did not reach till the 15th. On their approach, they were much rejoiced at seeing a smoke rising from the spot in which governor White had left the colonists, three years before. A discharge of cannon was made to apprize them of the approach of succour. and captains Strafford and Cooke. were despatched with two boats ; but, notwithstanding the most diligent search. they returned without having been able to obtain any intelligence of the persons they were in quest of. They made preparations the next morning to visit the island of Roanoke ; but the wind being at north east, in passing a bar, one of the boats was upset, and the other half filled with water. Captain Spicer, with six of his men, were dashed to pieces on the shoals : the other four, deterred by the fate of their companions, not trusting to their legs on the surf, but swimming in deep water, were saved by captain Cook. The courage of the survivors was so much damped by this accident, that they gave up the pursuit and returned to the shipping.

A few days after, governor White prevailed on a party of nineteen men, to accompany him to cape Hatteras. The people he had left there in 1587, had manifested, before his departure, an intention to remove to the main, and they had promised him. that in case they did so, they would carve, on some conspicuous tree, door or post, the name of the place to which they might determine on removing, placing a cross over it, in case they found themselves in distress, at the time of their departure. In landing on the cape, he caused a trumpet



to be sounded, a signal which he caused to be repeated at intervals, and in different places. No answer was given. When the party approached the spot from which they had seen the smoke arise, on the day of their arrival, they found that the fire had proceeded from dry grass and some rotten trees. After a very tedious search, they came to a high post or tree, on which were carved the letters CRO, and at some distance, they read the word CROATAN, on another.* They gladly noticed the absence of the sign, intended to indicate a state of distress. The houses had been pulled down, and a large space enclosed by a high pallisade; within the pallisade, they found many bars of iron, two pigs of lead, four iron fowlers iron sack shot, "and such like heavy things, thrown here and there, almost overgrown with grass and weeds." In the end of an old trench, they found five chests that had been carefully hidden, three of which, governor White recognized as his own, and adds, "about the place we found many of my things spoiled and my books torn from the covers, the frames of some of my pictures and maps rotten and spoiled with rain, and my armour almost eaten through with rust."

Every thing seeming to preclude the hope of making any further discovery, in remaining on the cape, the party determined on returning to the shipping. In doing so they were near perishing, a violent storm having arisen, which lasted the whole night. As soon as it subsided,

* The stump of a live oak, said to have been the tree, on which this word was cut, was shown, as late as the year 1778, by the people of Roanoke Island. It stood at the distance of about six yards from the shore of Shalon-bas-bay, on the land then owned by Daniel Baum. This bay is formed by Ballast-point and Baum's-point.

they weighed anchor for Croatan. In the attempt, one of the cables of the ship in which governor White was, broke and carried off another anchor; they let go the third, and the ship went so far adrift that she was near being stranded. Disheartened by so many untoward accidents, the stock of provisions on board the fleet being nearly exhausted, the governor, for the present, abandoned the thought of any further search after the colonists, and sat sail for the West Indies, with the intention of refitting the vessels, wintering and procuring a supply of provisions, in order to return in the spring.

Perhaps the hope of a better success, than in the first part of the voyage, in cruising against the Spaniards, induced this determination: if it did, the expectations it had created were disappointed. A few days after the departure of the vessels from cape Hatteras, the wind proved unfavorable, and continuing in the same direction for a long time, governor White directed his pilots to make the best of their way to the Western islands, which he reached on the 23d of September; and after a short stay they proceeded to England.

Sir Walter Raleigh's assignees, made no further attempt to discover or release the unfortunate colonists. They were never heard of. Lawson, who lived in North Carolina, during the first year of the eighteenth century, supposes "they were forced to cohabit with the natives for relief and conversation." He adds, that the Hatteras Indians, who then lived on Roanoke island, or much frequented it, boasted, that several of their ancestors were white people, and "could talk in a book;" the truth of which he thought confirmed, by several of them having grey eyes, a circumstance which does not

occur in any other tribe. The ruins of a fort were extant in his days, and other traces of them are still discernable. English coin, a brass gun, a powder horn, and a small quarter deck gun, made of iron staves, with hoops of the same metal, were shown to him as existing relics of the first adventurers.

Although the French had not yet any fixed colonies in America, they were not inattentive to their discoveries in Canada. In 1591, a fleet sailed from St. Malo, for the river St. Lawrence. The French resorted to the islands at the mouth of that stream, to fish for morses or sea cows; the teeth of these animals were then sold much dearer than ivory; they are a foot, and sometimes more, in length; their hides, when tanned, are as large and much thicker than a bull's. A single bark caught, this year, fifteen hundred of them.

War continuing between England and Spain, privateers of the former nation, frequently visited the West Indies in search of booty. In 1592, Christopher Newport conducted thither, three ships and a small bark, and took several prizes, on the coast of Hispaniola, in the bay of Honduras, and plundered and burnt several towns, and obtained considerable plunder.

In the following year, George Drake, an Englishman, made a voyage up the gulf of St. Lawrence, to the island of Nameo, and carried home intelligence of the profitable trade of the French in this part of America. Other English ships went at the same time, to cape Breton, to fish for morses and whales. This is the first mention we find, of whale fishery by the English. Although they found no whale in this instance, yet they discovered, on an island, eight hundred whale fins, at a place where a Biscayan ship had been lost three years

before, and this is the first account we find of whale fins and whale bone, as an article of trade to England.

Sylvester Wyat, of Bristol, soon after sailed up the bay of St. Lawrence, in a bark of thirty-five tons, as far as the rite of Assumption, for the barbs or fins of whales and train oil. Ten leagues up the bay of Plaustra, he found the fishermen of St. John de Huz, Sebibeno and Biscay, to be upwards of sixty sail, of which, eight ships only were from Spain. At Faullon, fourteen leagues to the westward of cape Brace, he found twenty sail of Englishmen; and having, in their harbor, satisfactorily made up his return cargo, he sailed for England.

Sir Walter Raleigh sent, this year, captain Whidden, an old and experienced officer, to Guiana, in South America, and receiving flattering accounts from that country, determined on visiting it in person. Fitting out a fleet at a great expense, he sailed from Plymouth on the 6th of February following: aiming at Trinidad, he spent a month in coasting the island. Learning, during this period, the state of St. Joseph, a small city lately built by the Spaniards, on that island; and knowing that the search for Guiana, could only be made in small crafts, and that his ships must be left several hundred miles behind, he deemed it unsafe to leave behind him a garrison of enemies, interested in the same enterprise, and in daily expectation of re-enforcement from Spain. Determined in this purpose, in the dusk of the evening, he boldly assailed the guards, and having put them to the sword, advanced with one hundred men, and by break of day took the city, which, at the entreaty of the Indians, he sat on fire. He took Antonio de Boneo, the Spanish governor, prisoner, and carried him on board of his ship. Sir Walter was provoked to this measure by

the treachery of Boneo, who, the year before, had captured eight of captain Whidden's men, after having given his word, that they might take wood and water safely. It appears that he and his followers, had treated the Indians with great cruelty, which accounts for the attachment, these oppressed natives manifested for Sir Walter, and the English people, whom they considered as their deliverers. Bancroft, so lately as 1766, says, "the Charibees, of Guiana, retain a tradition of an English chief, who, many years since, landed among them, and encouraged them to persevere in enmity to the Spaniards, promising to return and settle among them, and afford them assistance. It is said that they still preserve an English jack, which he left with them, that they might distinguish his countrymen." "This," adds Bancroft, "was undoubtedly Sir Walter Raleigh, who, in the year 1595, made a descent on the coast of Guiana, in search of the fabulous city of *Manoa del Dorado*."

Leaving his ships at Trinidad, Sir Walter proceeded, with one hundred men, in boats, four hundred miles up the Oronoque; but the river beginning, dangerously, to swell, he returned without effecting any discovery. Several petty kings of the country, however, resigned their sovereignties into his hands, for the use of queen Elizabeth. It was his intention to seek for the colonists governor White had left in Virginia; but violent storms compelled him to abandon his design.

On the 25th of August, Sir Francis Drake and Sir John Hawkins, sailed from England with six of the queen's ships, and twenty-one private ships and barks, on an expedition against the Spaniards, to the West Indies. On the way from Gaudeloupe to Porto Rico,

Sir John Hawkins died; and was succeeded in his command, by Sir Thomas Barkerville. The next day, Sir Francis made a desperate attack on the shipping in the harbor of Porto Rico: but, obtaining little advantage, he proceeded to the main, and took the towns of Rio de la Hache, Rancheria, St. Martha and Nombre de Dios. Sir Thomas Barkerville now marched, with seven hundred and fifty men, for the reduction of Panama; but the Spaniards having had notice of his design, had strongly fortified themselves, and he was obliged to abandon the enterprize.

Sir Francis Drake, proceeding to Nombre de Dios, died on his passage, between the island of Escudo and Porto Bello, on the 28th of January. His remains were, according to naval custom, sunk in the sea, very near the place where he first laid the foundation of his fame and fortune. The fleet anchored at Porto Bello, the same day; but the inhabitants fled at the approach of the English, carrying away their goods.

Sir Walter Raleigh, at his own expense, fitted out two vessels, under Lawrence Keymis, who made further discoveries in Guiana. In the following year, he sent thither Leonard Berne, in a pinnace. This man entered into a friendly correspondence with the natives, and returned to England.

Sir Anthony Shirley, commanding an English squadron, landed at Jamaica on the 29th of January, and marched six miles into the island, to the principal town. The inhabitants submitting to his mercy, he resided there about five weeks, and then sailed for Honduras, and took Puerto de Cavallos.

The earl of Cumberland having received a commission from the queen, to attack and destroy the territories

of her enemies, took the island of Porto Rico, and carried off eighty pieces of cannon, eighty ships, and much wealth; but the expedition was disastrous; for about six hundred men were lost by the bloody flux, sixty slain in battle, and about forty cast away on the return of the fleet.

Monsieur de Pointis appeared, with a squadron, before Carthagena, and forced it to capitulate; but his soldiers, in breach of the capitulation, pillaged the town.

Charles Leigh, a merchant of London, made, this year, a voyage to cape Breton and the island of Ramea. Having given umbrage to the French, in the latter place, by taking the powder and ammunition from a vessel, supposed to belong to Spain, but which proved to belong to the subjects of the French king, two hundred Frenchmen assembled, and planted three peices of ordnance on the shore, against the English, and discharged on them, one hundred small shot from the woods. There were also, in readiness to assail them, about three hundred Indians. On a parley, however, the contest subsided. In this voyage, Leigh obtained a considerable quantity of codfish and train oil, and had some traffic with the natives.

France, after fifty years of internal commotions, having recovered her tranquility, was enabled to renew her enterprizes for the colonization of Canada. Henry IV, gave to the Marquis de la Roche, a commission to conquer that country, and other countries in America, not possessed by any Christian prince. The marquis took with him, a Norman named Chetodel, as his pilot, and a number of convicts out of prison. He landed forty of these men on the isle of Sable, and proceeded to Acadia, made researches in that region, and returned to France,

without attempting to make any settlement, or having it in his power to carry back those miserable outcasts, whom he had set on shore. He was prevented, by various misfortunes, from returning to America, and died of vexation.

His patent was renewed in the following year, in favor of Monsieur de Chauvin, who now made a voyage up the river St. Lawrence, to Tadoussac, two hundred and seventy miles from the sea. He returned home with a load of furs, leaving some of his people, who were enabled, by the kindness of the natives, to encounter the severity of the climate. He made a second voyage, the next year, with the same good fortune; and sailed up the St. Lawrence, as high as the place on which the town of Trois Rivières has since been built.

This year, William Parker sailed from Plymouth, in England, with two ships, one pinnace, and two shallops, to Cumana; and having taken the pearl fishery in that island, with the governor of Canada, who was there with a company of soldiers, he received five hundred pounds, in pearl, for the ransom of the whole; proceeding to Porto Bello, he made himself master of it, remained on it one day, plundered, and left it, without injury to its buildings.

Although the disastrous effect of Raleigh's attempt, to effect a settlement in America, together with the war with Spain, checked the spirit of colonization, it was now revived: Bartholomew Gosnold sailed, in a small bark, from Falmouth, with thirty-two persons, for the northern ports of Virginia, with the design of beginning a plantation. One is surprised, at the smallness of the means, which were depended upon, for the establishment of the English colonies in America. Of the thirty-

two persons who embarked with Gosnold, eight were "mariners and sailors ; twelve purposed, after the discovery of a proper place for a plantation, to return with the ship to England ; the rest, in all twelve persons, were to remain there for population." Instead of making the usual circuit, by the Canaries and West Indies, he steered, as near as the wind would permit, due west, and was the first Englishman who came in a direct course, to this part of America. After a passage of seven weeks, he discovered land on the American coast ; and soon after, met a shallop, with sails and oars, having on board eight Indians. These people first hailed the English : after signs of a friendly disposition, and a long speech made by one of the Indians, they jumped on board : they were "all naked, having loose deer skins about their shoulders, and near their waiste, seal skins tied fast, like Irish dinmic trowsers." One of them, who seemed to be their chief, wore a waistcoat, breeches, cloth stockings, shoes, and a hat ; one or two others, had a few things of European fabric ; and these, "with a piece of chalk, described the coast thereabouts, and could name Placentia, of Newfoundland : they spoke divers Christian words." Their vessel was supposed to have belonged to some unfortunate fishermen, from Biscay, wrecked on the coast. Sailing along the coast, captain Gosnold discovered, on the next day, ahead, land, in the latitude of forty-two degrees, where he came to anchor ; and taking a great number of cod, he called it cape Cod. On the following day, he coasted the land southerly, and in attempting to double a point, he came suddenly into shoal water, and called the place Point Care ; Dr. Belknap supposes this to have been the point, now called Malesbarre, or Sandy

Point, the southern extremity of the county of Barnstable, in Massachusetts: he proceeded southerly, as far as an island, which, in honor of the queen, he called Elizabeth island, a name which it still retains: he found on it, a pond of fresh water, two miles in circumference, in the centre of which, is a small, rocky, isle, on which he began to erect a fort and store house. In the year 1797, Dr. Belknap visited this spot, and discovered the remains of the cellar of this house, the stones of which were, evidently, taken from the neighbouring beach, the rock of the isle being less moveable, and lying in ledges. While the men were occupied in this work, Gosnold went to the main land, to traffic with the natives, who dwelt on the banks of the river, on which the town of New Bedford now stands. In nineteen days, the fort and house were completed; but, discontents arising among those who were to remain in the country, the design of a settlement was abandoned, and the whole of the company returned to England.

Sir Walter, although he had no longer, any particular interest in the colony of Virginia, made a further effort for the discovery and relief, of the men left there by governor White. He purchased, and fitted out a bark, and despatched Samuel Mace, an able seaman, from Weymouth, who left that port in the month of March, fell on the American coast, in about the thirty-fourth degree of north latitude, and proceeded along it, but returned home without effecting the object of his mission. This was the fifth attempt of Sir Walter, to succour his colonists, since the year 1587. "At this last time, to avoid all excuse, he bought a bark, and hired all the company, for wages by the month; but they fell forty leagues to the southward of Hattaracke, in thirty-

four degrees, or thereabouts ; and having there spent a month, when they came along the coast to seek the people, they did it not, pretending, that the extremity of weather, and loss of some principal tackle, forced, them from the object of searching for the port of Hattaracke, to which they were sent."

Notwithstanding the vast expense of men and treasure, wasted in the attempt to establish an English colony, on the shores of the northern continent of America, at the expiration of about twenty years, since the first voyage of Amidas and Barlow, to Ocracock, there was not, at the death of queen Elizabeth, the 24th of March, 1603, a single individual settled on the main ; and, although upwards of a century had elapsed, since the discovery of the new world by Columbus, no European nation, excepting the Spaniards, had succeeded in making any settlement on it ; and a few soldiers of that nation, maintained at two or three posts in Florida, appear to have been all the Europeans in North America. As before the attempts of the British, the whole northern continent, was known to the Europeans under the appellation of Florida, now all that part of it, from the spot, on which the first adventurers of that nation landed, northly, was called Virginia, as far at least, as the river St. Lawrence. The geographers of the day, represented that vast extent of country, as divided into three parts : Canada belonging to the French, Virginia to the English, and Florida to the Spaniards : within these insipient divisions, no settlement had as yet been made, so as to have entitled any part of it to a particular name.

It is surprising, to find with how much difficulty the colonists provided for their subsistence ; the woods

teemed with buffalo, deer, opossums, and squirrels ; there were immense banks of oysters and cockles, and herrings visited the rivers yearly, in large shoals : the sea and rivers supplied fish in abundance ; the trees of the forest yielded honey in quantity, as well as grapes, persimons, plumbs, and other fruit : wild turkeys and other game, were in plenty ; and we have seen, that, whatever was committed to the ground yielded ample returns : the Indians drew from their gardens, large supplies of beans, peas, and pumpkins : in the spring, the ground was covered with strawberries : the briers afforded black and other berries : shrubs yielded chinquapins : land turtles were easily procured.

The failure, of Sir Walter's efforts to plant a colony in Virginia, is to be attributed to the ordinary cause of the failure of most of men's attempts: the absence of the eye of the master, the great distance at which the operations he directed, were to be executed, and the small share of his attention, which other more important, immediate, or near objects of his ambition, or ease, allowed him to bestow on his colony. There cannot be any doubt, that, if one half of the treasure that was fruitlessly wasted, had been disbursed in these and subsequent operations, under the immediate direction of a man of ordinary prudence, a very different result would have been obtained.

The spot selected was not, it is true, the most eligible one ; but the climate was extremely mild : the land, though generally barren, was sufficiently variegated with fertile spots.

CHAPTER III.

TOWARDS the middle of the month of April, 1603, a ship of fifty tons, called the Speedwell, was despatched from Milford Haven, for the further discovery of the northern part of Virginia, under the command of Martin Pring; a bark of twenty-six tons, called the Discovery, was also put under Pring's orders; he reached the American coast early in June, between the 43d and 44th degrees of northern latitude, among a number of islands, in the mouth of Penobscot bay, and proceeded southerly to a bay, which he called Whotson bay, in honor of the mayor of Bristol, who had patronised and was interested in the expedition; he there built a hut, which he surrounded with a palissade; here a part of his men kept guard, while the others were employed in collecting sassafras, with which he was directed to load his vessels. The natives visited the English, and demeaned themselves, and were treated, in a friendly manner; and after a stay of seven weeks, a cargo being obtained for the bark, she was despatched home. Soon afterwards, the Indians manifested hostile intentions. Pring hastened the loading of the ship, and sailed for England on the 9th of August.

In the mean while, another attempt had been made to search for and relieve the colonists left by governor White, near Cape Hatteras. Bartholomew Gilbert sailed for this purpose, in a bark of fifty tons, on the 10th of May;

he took the old route, by the West Indies, and descried the continent on the 23d of July, about the 40th degree of northern latitude. Adverse winds prevented him from proceeding to the Chesapeake, where he was directed to land. Having gone ashore with four men, the Indians fell upon and destroyed this small party. Dismayed at the event, the people on board weighed anchor immediately, and returned home.

Henry IV. of France, being ever intent on establishing a French colony, on the northern part of the continent, granted this year to Pierre de Gaet, Sieur du Montz, a lord of his bed chamber, a patent for all the land, between the 40th and 46th degrees of northern latitude, including not only what is now known to us as the provinces of Canada and New-Brunswick, the New-England states, and those of New-York, New-Jersey and Pennsylvania, constituting him his lieutenant-general in that region.

Samuel Champlain, of Bronage, in France, sailed up the St. Lawrence, and anchored at Tadoussac.

Although the Europeans had as yet no settlement on the northern continent of America, they employed 200 ships and 10,000 men, in the fisheries of Newfoundland.

In the following year, the Sieur Dumontz sailed for America, taking Champlain as his pilot, and attended by Mons. Potrin-court, with a number of adventurers. On their arrival, Dumontz made a grant to Potrin-court of a tract of land, which was called Port Royal, a name which it retained till the English, in the reign and in honor of queen Ann, substituted to it that of Annapolis. Dumontz, leaving the grantee in possession of his new acquisition with a few colonists, proceeded up a river

then called by the natives Scoodick, but afterwards St. Croix, which, in the treaty by which the independence of the United States was acknowledged by Great Britain, is named, as constituting a part of the boundary of the dominions of the contracting parties. On an island, in the middle of this river, Dumontz wintered and erected a fort, part of the foundations of which were discovered in 1798, by Professor Webber, who attended the American commissioners.

On the 18th of August, king James concluded a treaty of peace with Phillip II. of Spain. By this event, a number of his subjects, of birth and enterprise, to whom the war had afforded employment for their talents, finding their attention and hopes excited by the great success of the Spaniards in South America, turned their thoughts towards emulating their rivals, on the northern continent.

The discovery of gold mines, and of a north-west passage to the Indies, was the prominent object of the adventurers' ambition. The earl of Southampton, and the earl of Arundel, fitted out a ship, and gave the command of it to George Weymouth. He sailed from the Downs with twenty-eight persons, on the 31st of March, and forty-four days after made land in about 41 degrees 30 minutes north latitude. After coasting awhile, he entered and sailed about 60 miles up the river which is now called Penobscot, in the state of Maine. He set up crosses in several places, in token of his having taken possession of the country, had some traffic with the natives, and in the month of July returned to England, carrying with him five Indians, one a Sagamore, and three chiefs.

The year 1605 is remarkable for the first attempt to the establishment of the British empire in the West In-

the islands. The crew of a ship, called the Olive Blossom, owned by Sir Oliver Leigh, bound from London to Surinam, landed on and took possession of the island of Barbadoes; they found it abandoned by the native Charaibs, and erected a cross, on which they inscribed *James, king of England, and of this island.*

The ill success of the attempts made by individuals of the English nation, during near a quarter of a century, which had elapsed since the expedition under the orders of Amidas and Barlow, having evinced that private means were insufficient for the accomplishment of the desired end, in the spring of the following year, an association was formed in London, composed of men of influence, talent and wealth, with a view, by their united stock and efforts, to overcome the difficulties, which had heretofore attended the establishment of an English colony in the new world.

Sir Richard Hackluyt, one of the dignitaries of Westminster, was among the foremost. Historians place the name of this gentleman, immediately after that of Sir Walter Raleigh, in the list of the promoters of this noble undertaking. Educated under the directions of a kinsman of great natural and commercial information, he had bestowed an early attention upon history and geography, and in his more mature years had translated into English, relations which had been published in Spain and Portugal, of the voyages and discoveries of the adventurers of those nations, and had published accounts of the expeditions of the navigators of his own. The support of the crown was sought and obtained, and king James favored the association with a charter.

This instrument bears date the 10th of April. It incorporates Sir Thomas Smith, Sir John Somers,

Richard Hackluyt, Edward M. Wingfield, of the city of London, and the individuals who may thereafter be joined to them, as the *first colony*, and authorizes them to begin their settlement or plantation, at any place on the coast of Virginia, in America, between the 34th and 41st degree of northern latitude, and a grant is made to them of all the country for the distance of fifty miles on the coast, on each side of the spot, on which they may make their first settlement, and one hundred miles back, making in the whole 10,000 square miles, or six millions four hundred thousand acres, together with all the islands over and against the coast, within the distance of one hundred miles.

Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, of the town of Plymouth, and such individuals, who may thereafter be joined to them, are by the same instrument incorporated as the *second company*. They are directed to make their first settlement on the same coast, within the 38th and 45th degrees of northern latitude, and the same extent of territory is allotted to them as to the first colony, of which the spot on which they may begin their first establishment is likewise to be the centre. But it is provided, that after either colony shall have begun its settlement, the other shall not begin its own, within a less distance than one hundred miles. All the king's subjects are forbidden to settle, on the back of the lands of the colonies, without the king's license.

The internal government of each colony is given to a council of thirteen persons, to be constituted by the king, and regulated by his instructions, under his sign manual, and a council of Virginia, the members of which are likewise to be chosen by the king, to regulate the several affairs of both colonies.

The colonies are to search for and obtain gold, silver and copper, not only within their respective limits, but also in the lands on the back of them, paying to the king one fifth of the gold and silver, and one fifteenth of the copper.

The councils are respectively authorized to establish and cause to be struck, a coin, to be current in the colonies.

Leave is granted to the patentees, to carry to Virginia such of the king's subjects, as may be willing to remove thither, (excepting only those whom he may specially forbid from emigrating,) and to take for this purpose a sufficiency of shipping and ammunition of war; and they are authorized to repel invasion or insult, by force.

A duty of two and a half per cent. on the commerce of the king's subjects, and five per cent. on that of foreigners, on sales and purchases, was granted to the colonies for the term of twenty years, after which it was to be collected for the king.

The exportation of the company's goods from any of the king's dominions, were to be free from duty.

All persons, born in Virginia, were to be British natural born subjects.

The king declares to all Christian kings, princes and states, that if any person within the colonies, or any by their license, shall rob or spoil, by sea or by land, or commit any act of insult or unlawful hostility, on the subjects of any king, prince or state, in amity with him, he will, on complaint, cause proclamation to be made within some convenient part of England, commanding proper satisfaction to be made, and on default will put the offender out of his liegeance and protection, and it shall be lawful for the party injured to pursue him with hostility.

Lastly, lands in Virginia are to be holden of the king, as of the manors of East Greenwich, in the county of Kent, in free and common socage ; not in capite.

The charter was accompanied with instructions and orders, under the king's sign manual, by which a board, to be styled the king's council for Virginia, was established, consisting of William Wade, lieutenant of the tower of London, Sir Thomas Smith, Sir Walter Cope, Sir George Moore, Sir Thomas Popham, Sir Ferdinando Gorges, Sir John Trevor, Sir Henry Montague, recorder of the city of London, Sir William Romney, knights, John Doderidge, solicitor-general, and Thomas Warr, esquire, John Eldred, of the city of London, Thomas James, of Bristol, and John Bragg, of the county of Devon, merchants. It being soon after found difficult to convene a board, the members residing at a considerable distance from each other, the king created twenty-six new members; sixteen of whom were presented to him by the first, and the rest by the second colony. The council was now divided into two boards, to each of which were committed the affairs of one of the colonies.

These councils were, at the pleasure of the king and his heirs, to give instructions to a council resident in each colony, the members of which they were for the first time to appoint ; the king reserving to himself the right of new modelling and increasing the number of the members of such councils.

The colonial councils were respectively to consist of thirteen members, at most. They were to choose among themselves a president ; this officer was not to be a minister of the gospel : his election was to be annual, and he, as well as the members, were removable at the pleasure of the board.


It was recommended to these councils, to provide for the celebration of divine worship among the colonists, and as soon and as much as possible among the Indians, according to the rites of the church of England.

They were charged to guard against attempts to decoy any of the whites from their allegiance, and to cause to be arrested and imprisoned, and in flagrant cases to be sent to England, any person endeavoring so to do.

Tumult, rebellion, conspiracy, mutiny, sedition, murder, were directed to be punished with death, without benefit of clergy. The president and council were constituted a court in each colony, having cognizance of these offences; the trial was to be by jury, but this tribunal was authorized to suspend the execution of its sentence until the king's pleasure was known; it had jurisdiction of lesser offences, for which corporeal or pecuniary punishment was denounced, and it was even authorized to award damages to the injured. Its proceedings were to be summary and oral, until sentence, which, with the nature of the offence, was to be reduced to writing, and subscribed by all the councillors present.

During the first five years after their landing, the colonists were to trade altogether in one, or at most three common stocks, in each colony. The fruit of their labors, and all the goods and commodities imported, were to be deposited in a common warehouse, and a treasurer or cape merchant, was to be appointed by the council, in each colony, and with the assistance of clerks, was to receive, preserve, and deliver out the joint property. In return for his labor, each colonist was to be supplied with necessities, out of the colony's stores.

The adventurers of the first colony were to appoint one or more companies, each consisting of three persons



at the least, to reside in London, or at such other place as the council should appoint, during the first five years, to receive and take charge of all commodities to be shipped to or landed from the colony ; and the adventurers of the second, were to make similar appointments at or in the neighborhood of Plymouth.

Every colonist was to take an oath of obedience, and that prescribed by the 4th of James.

The legislative power was vested in the colonial councils, but they were not restricted from denouncing any punishment affecting life or limb, and their acts were liable to be rescinded by the king, or his council for Virginia, in England.

It was recommended to the colonists to treat the Indians with kindness, and to endeavor to bring them to the knowledge of God, and obedience to the king.

Finally, the members of the king's council for Virginia, in England, were to take such oaths as the privy council should appoint, and the colonial council such as the king's council for Virginia should require.

The adventurers for the first colony, eager to realize the hopes, which the formation of so respectable an association had excited, soon fitted out two ships and a small bark, which they placed under the orders of Christopher Newport ; his instructions bear date the 10th of December. A list of the persons who were to compose the first colonial council, was committed in a sealed cover to his care and that of Bartholomew Gosnold and John Radcliffe, with directions to open it within twenty-four hours after their landing in Virginia, and not before ; and it was ordered, that immediately after its being opened, the councillors should be proclaimed, a president chosen, and government organised : Newport was

instructed to spend two months, in discovering and reconnoitering the rivers and harbors of the country, with such vessels and crews as the council should direct, and to return with such commodities as could in the meanwhile be procured, leaving the bark for the service of the colony.

The council in England being very intent on the discovery of a passage to the south sea, as the certain and infallible way to rich mines of gold, directed the colonists to enter and sail up every navigable stream, and if any of them happened to have two main branches, and the difference was not great, to follow that which led to the north-west, it being imagined that the Pacific ocean would probably be sooner reached in that direction. They particularly desired that notice should be taken, whether the rivers they examined sprang from the mountains or a lake, as, in the latter case, a passage to the opposite sea would be more easily attained, and out of the same lake, streams might be found, flowing in a contrary direction.

The flotilla took its departure from Blackwell on the 19th of December, sailing by the way of the Canary and the West India islands. Some time was spent in trading with seaports, and the continent was not reached till the 26th of April. The names of cape Henry and cape Charles were given to the promontories through which they entered the bay of Chesapeake, in honor of Henry, prince of Wales, and Charles, duke of York, his brother, who afterwards succeeded to the British crown. A party of twenty persons landed on cape Henry, where they were met by five Indians, who wounded two of them dangerously, and fled to the woods.

In the evening the packet, which contained the list of the councillors and the orders of the company, was

opened and read. It appeared that Edward M. Wingfield, Bartholomew Gosnold, John Smith, Christopher Newport, John Radcliffe, John Martin, and John Kendal, were appointed of the council: Wingfield was appointed president.

The colonial council, a few days after, fixed on a peninsula on the north side of a river, which the natives called Powhatan, and to which the name of James river was now given, in honor of the king, for the spot on which the habitations of the colonists were to be erected, and dignified it with the name of Jamestown, a name which it still retains; and although it never was, nor is likely ever to be remarkable for population, commerce or wealth, it will long boast of being the most ancient settlement of the whites in the United States.

The site was advantageous, and eminently so, when compared to the shoaly and dangerous coasts, on which chance had thrown the first French and English adventurers on the continent. A happy situation, as well as a valuable one; yet it was not sufficiently advantageous to insure the prosperity of the colony. Animosities had arisen among some of the principal colonists during their long voyage, and had not finished with it. The colonial council had begun its operations by an act of injustice, in excluding John Smith from a seat at their board. The colony suffered much from the loss of the advantages, which it had reason to expect from his influence and activity. Appeased, however, some time after, by the exhortations of Mr. Hunt, their chaplain, the council admitted the excluded member, who receiving his commission the next day, they all turned their undivided attention to the government of a colony "feeble in

numbers and enterprise, which was thus planted in discord, and grew up in misery."

Newport and Smith were now sent with twenty men, to reconnoitre the stream, upon which the colonists had fixed their residence. On the sixth day, they reached an Indian town, called Powhatan, consisting of about twelve houses, pleasantly situated on a hill, a little below the spot on which the city of Richmond now stands; it was the principal and hereditary seat of Powhatan, emperor of the country, who had given his name to the town and river.

The council had judged it best to forbear any thing like military parade, even to admit any other kind of fortification, than a few logs placed together in the shape of a half moon. The natives soon came to visit the new comers, and at first manifested none but friendly dispositions; and the latter endeavored, by a kind and hospitable reception, to encourage an intercourse. But the Indians soon began to manifest a quite different temper; a party of the English, as has been said, had gone up the river; others were scattered in the woods, exploring the ground, or procuring clapboards, and other timber for loading the ships. The Indians came into town, and fell on the few whites who had been left there, and were quietly employed in building and gardening; and killed a boy, wounded seventeen men, and retired into the thickets, frightened by a cross-bar shot, which shattered to pieces a huge tree, near which several of them stood. This event excited the caution of the council; they caused the fortification to be surrounded by a pallisade, the ordnance to be mounted, and the men to be regularly trained and exercised.

On the return of the party sent up the river, John Smith marched against the Indians, and compelled them to sue for peace.

On the 16th of June, Newport and Nelson sailed for England with the two ships, leaving one hundred colonists in Jamestown. They did not bear well the scorching heat of summer; they sickened in the fall, and were reduced low; in consequence of the ill supply of provisions, they were put on a very scanty allowance, and the little food they had, was of a very inferior quality. Penury, excessive heat, the moisture of the air, in a country covered with woods, generated disease; one half of the colonists fell its victims before the end of September; the survivors, dispirited and famished, sought their subsistence in crabs and sturgeons.

Wingfield was considered as the author of the distresses of the colony, by his embezzlement and waste of its stores. The indignation of the colonists was raised to the highest pitch, by the discovery of a project for deserting them, and returning to England in the bark, which he was on the eve of effecting. He was deposed, with one of the council, who had engaged to accompany him.

John Radcliffe was chosen president, in his room. The new administrator was not remarkable, either for wisdom or activity, but he was unassuming, and confiding in the advice of John Smith, a man who, with an undoubted courage and indefatigable activity, possessed a strong judgment, permitted him to direct the affairs of the colony under him.

Smith immediately adopted the only plan that could save the whites. He surrounded the town with fortifications, rude indeed, but sufficient to resist the enemy against which they were raised. He next marched with a small party, and alternately resorting to promises and threats, to caresses and violence, induced or compelled

the neighboring tribes of Indians to yield him a supply of provisions. In one of his expeditions afterwards, he was attacked by a numerous party of savages, and being compelled to retreat, fell up to the neck in a swamp, and was made a prisoner. He engaged, for some time, the attention of his captors, with a compass dial, which he happened to have about him ; they wondered at the play of the fly and needle, which the glass hindered them from touching, without preventing them from seeing it ; he excited their surprise and veneration, by the wonderful accounts he gave them of its utility, so as to interest them in his favor. They however bound, and triumphantly led him to Powhatan, their chief, by whose orders he was about to be put to death, when Pocahonta, the chieftain's favorite daughter, rushed between him and his executioners, and by her entreaties and tears, prevailed on her father to spare the captive's life, and soon after to liberate him.

The store house at Jamestown, thatched with reeds, taking fire by accident, burned with such violence, that the fortifications, arms, apparel, bedding, and much private goods and provisions, were consumed.

Before the close of the year, Nelson and Newport returned from England, with one hundred colonists, and a considerable supply of provisions.

At the arrival of this timely succor, the colony was reduced to thirty-eight persons, sixty-two having died since the departure of these ships, in the month of June. The survivors, worn out by fatigue, disease, and famine, had long been making preparations to return home ; but Smith, alternately resorting to solicitations and command, had prevailed upon them to delay the execution of their design.

Plenty appeared again, and the planters industriously applied themselves to clear and sow the ground. Their attention was, however, diverted from their necessary pursuit, by the discovery of a yellowish sediment, in a stream, issuing from a bank of sand: it was fondly considered, as a sure indication of a rich mine of gold. The labors of husbandry were immediately suspended, and every thought and every effort employed, in searching for, and securing, this apparently valuable dust; and one of the ships was sent home, with a load of this ideal treasure. The fatal illusion was momentary; not so its effects: they were long and sensibly felt. The neglected fields yielded no crop, and penury was again attended by disease. The colonists were once more saved from destruction, by the indefatigable activity of Smith, who again, by persuasion, and when that failed, by violence, induced the Indians to spare part of their stores to the whites.

The succeeding winter was extremely cold, and the rigor of the season was the cause of additional mortality: the winter was likewise extremely cold in the more northern part of the continent. L'Escarbot, a Frenchman, who was in Canada about this time, remarks, that the winter of 1607, had been the hardest that had ever been seen; "many savages died through the rigor of the weather: in these our parts, many poor people, and travellers, have been killed, through the severe hardness of winter weather."

There were judged to be at this time, within sixty miles from Jamestown, about seven thousand Indians, nearly two thousand of whom, were able to bear arms; the most seen together, by the English, were from seven to eight hundred.

On the recent encouragement for settling north Virginia, Raleigh Gilbert, a nephew of Sir Walter Raleigh, with two ships and one hundred men, furnished with ordnance, ammunition and provisions, landed at the mouth of Sagadahoc, or Kennebeck river: he built a storehouse, and fortified it, and gave it the name of Fort St. George.

In the summer of the following year, John Smith, with a party of fourteen men, explored in an open barge, the bay of Chesapeake, from the ocean to the mouth of the Susquehannah, trading with some tribes of Indians, and fighting with some others; making, according to his own reckoning, an ascent of nearly three thousand miles. He found among the Susquehannah Indians, hatchets, and utensils of iron and brass, which they had obtained from the French, by the way of Canada. On his return to Jamestown he drew a map of the bay, and the rivers flowing into it, and annexed to it, a description of the country, and the nations inhabiting it. This map was made with such accuracy, that it is the original from which all subsequent maps, have been chiefly copied.

His superior ability and industry, induced the council and settlers to invest him with the presidency of the board, and government of the colony.

Newport returned soon after with seventy colonists, among whom, were some persons of distinction: eight Dutchmen and Poles were sent to teach the planters the making of tar, glass and potash: by this vessel, the president and council received instructions to explore the western country, in order to procure certain intelligence of the South Sea; and when Newport returned to England, he left two hundred persons in the colony.

The few men, left at Sagadahoc, having lost their stores by fire, the preceding winter, and in this "cold, mountainous, barren, rocky, desert country, meeting with nothing but extreme hardships, and hearing of the death of some of their principal supporters, returned to England. Their patrons, offended at their unexpected arrival, desisted, for several years, from any further attempt."

The French availing themselves of this circumstance, to extend their infant settlement; Dumontz, being encouraged by his sovereign, Henry IV. sent over three ships with families to commence a permanent settlement. Samuel Champlain, who undertook to conduct this colony, after examining the most eligible places for a settlement in Acadia, and on the river St. Lawrence, selected a spot at the confluence of this river, and that of St. Charles, at the distance of about three hundred and twenty miles from the sea: here he erected barracks, sowed wheat and rye, and on the third of July, laid the foundation of the city of Quebec, the capital of Canada.

This year, Henry Hudson, under a commission from king James, discovered Long island, that of Manhattan, on which the city of New York now stands, and the river to which he gave, and which still bears his name.

In the course of the following year, Samuel Argall arrived at Jamestown, in a ship loaded with provisions. The great influence which the king derived from the dependence on his will, in which the first charter kept the affairs of the company, had deterred many persons of capital, rank and influence, from taking any share in its concerns; and the patentees chose not to venture much further than they had hitherto done. The monarch was

therefore, induced, in order to revive their drooping spirits, to grant them a new charter. This instrument bears date, the 16th of May, 1609. It incorporates six hundred and seventy individuals, and fifty-six corporations of the city of London, under the style, of "The treasurer and company, of the adventurers and planters of the city of London, for the first colony of Virginia." It grants to them all the territory in that part of America, called Virginia, from the point of land called cape, or point Comfort, two hundred miles to the northward, and two hundred miles to the southward, along the sea coast, from sea to sea, with all the islands along the coast, within one hundred miles. A council is established, to be composed of sixty-two noblemen, knights and gentlemen, resident in London, under the style of "The king's council for the company of adventurers and planters, of Virginia." Sir Thomas Smith was appointed treasurer, and the vacancies in the council, were to be filled up by the treasurer and council, out of the adventurers. The appointment of the governor and other officers, was vested in the council, who were authorized to legislate for the colonists, while resident in Virginia, or in their outward and homeward voyages : all the former laws were abrogated. The adventurers were liable to be disfranchised, by the major part of the assembly of the adventurers, and the treasurer and council were empowered to admit new members of the corporation.

The company were authorised to search for mines, not only within the boundaries of the grant, but in any part of the country not granted to other persons ; and to ship to Virginia, any of the king's subjects, not especially excepted by him, and who might be willing to

remove thither, with all necessary supplies, free from duty.

A freedom from all subsidies and customs, in Virginia, for twenty-one years, was granted, and from taxes and impositions for ever, on importation and exportation of goods, by the treasurer and company, except five per cent.

The company was authorized to repel, by violence, every intruder, and to seize the vessels and goods of persons trading within their limits, without their license.

Children, born in Virginia, were declared natural born subjects of the king.

Jurisdiction, in criminal matters, was given to the governor and council, and they were empowered to enforce martial law, in case of rebellion.

Lastly, provision was made for the favorable interpretation of the charter, and the confirmation of such privileges in the former one, as were not abrogated in the present. Future adventurers were allowed to be entitled to the same privileges as the present patentees, and the oath of supremacy was required to be taken, by every person removing to Virginia.

Lord Delaware was chosen first governor of Virginia, under the new charter. In accepting his commission, he required some little time to arrange his private concerns; and, in the mean while, the council despatched Sir Thomas Gates as lieutenant general, and Sir George Somers as admiral. The fleet, with which they sailed, consisted of nine ships, on board of which, five hundred colonists took passage. It sailed in the latter part of May.

Sir Thomas and Sir George were the bearers of a commission, authorizing them, on their landing in Virginia, to cause lord Delaware to be proclaimed, to supersede the former council, and to take upon themselves the administration of the government of the colony, till the arrival of his lordship.

These two officers were on board of the same ship, which was separated from the fleet, in a violent storm, on the 25th of July, and cast ashore on the rocks of Bermudas; a small ketch perished at the same time. The fleet reached Jamestown a few weeks after; (about the middle of August.)

Without tidings from their commanders, and deprived of all the papers, which the council had sent with the new administration, it appeared impossible to change the order of things. The new colonists insisted, that the former form of government was abrogated; but, as they could produce no testimony of its abrogation, nor any warrant, authorizing the establishment of any new form, Smith refused to yield up the reins of government. The accession of a number of colonists, which should have added to the security of the colony, heightened the danger it was in. Anarchy and confusion prevailed; the authority of Smith, verging towards its end, was but little respected: to the new comers, Smith attributed the disastrous situation of the country: he describes them as "a lewd company, containing many unruly gallants, packed hither by their friends, to create ill destinies." He detached two hundred of them to the falls of James river, and to that part of the present state of Virginia, which is now called the county of Nansemond. In the latter settlement, the English, im-

prudently giving offence to the neighbouring Indians, the savages fell upon them, and massacred the greater number: and the survivors returned to Jamestown, to seek protection under the authority, which, a short time before, they had contemned.

A systematic design was now meditated upon, by Powhatan, against the colony; but his expectations were frustrated, by the discovery made by Pocahonta, his daughter, then but about twelve or thirteen years of age, who, in a dark and dreary night, came to Smith, in Jamestown, and informed him of her father's determination, to come and destroy the colonists, on the following day: this timely information enabled the whites to avert the impending blow.

In the latter part of the year, president Smith, returning from an excursion up the bay; the casual explosion of a keg of gun powder near him, while he was sleeping in his boat, so miserably mangled his body, that he was for several days, unable to move without assistance: he caused himself, at last, to be brought on board of one of the ships, and returned to England, in search of better professional assistance, than the colony could afford.

He left behind him, besides the ships, seven boats, commodities to trade, a crop of corn lately housed, provisions for ten weeks in the store, upwards of four hundred and ninety colonists, twenty four pieces of ordnance, three hundred muskets, with other arms, and a sufficient quantity of ammunition.

The Indians, their language and habitations, were well known. The colony was well supplied with nets for fishing, farming utensils, wearing apparel, and possessed five horses and a mare, five or six hundred hogs,

some goats, sheep and fowls, and were in every other respect in a comfortable and prosperous situation.

The Virginians were not long without feeling the absence of the chief, to whose judgment and activity the colony owed its prosperous state. In the disorder that ensued, several laid claim to the supreme command ; the choice of the colonists, at last, fell upon George Percy, whose heart was virtuous, and whose connexions were respectable, but whose talents were not suited to the turbulence of the times ; his constitution had ill borne the effects of a change of climate, and his health was so much impaired, that he stood in need of European medical assistance, as much as the person he was appointed to succeed.

The Indians soon became conscious of the advantage which they derived, from the absence of the man by whom they had, until now, been reduced, and kept in awe and subjection, and of the favorable opportunity of making a successful attack upon the whites; the wonted supplies were kept back, and casual aggressions announced soon after a state of war. Unable to attack the enemy, the whites confined themselves to Jamestown, and lost the opportunity of procuring food by hunting ; their stock of provisions was consumed. and a dreadful famine ensued ; in six months, the colony was reduced to sixty-eight persons, of all ages and sexes, so feeble and emaciated, that they could not have survived their companions, without some speedy relief.

Sir Thomas Gates and Sir George Somers arrived at Jamestown from Bermudas. on the twenty-third of May ; none of the crew of the vessel, in which they had been shipwrecked, had perished, and they had been so fortu-

nate as to save all the provisions on board of it ; during a stay of ten months on this uninhabited island, they had built two barks, in which they had made the voyage to Virginia.

One hundred and thirty persons came in these barks, and the provisions saved from the ship, having supported them at Bermudas. during their long stay there, and during their passage, could not long supply their wants, and those of the colonists, to whom they were now joined.

It appeared, that on putting the people on the most scanty allowance, the stock on hand would not last much longer than a fortnight. In this dilemma, it was determined to abandon the country, and proceed to Newfoundland, where present relief might be obtained, and sufficient shipping to carry the colonists to England, this being the season of the fishery ; they sailed accordingly.

Thus, more than a quarter of a century after the first attempt of the English to establish a colony in America, six years after the laying the foundation of Jamestown, was the northern continent without a single individual, acknowledging obedience to the laws of England, notwithstanding the very great sacrifices of lives and wealth, in endeavoring to accomplish this desirable object.

The French settlement, in Canada, was thriving, and Lewis XIII. who this year succeeded Henry IV. on the throne of France, less inclined to war than his predecessor, had manifested the intention to foster the rising colony.

The Spaniards still kept a few soldiers, in some scattered forts on the coast of Florida.

The Dutch had lately visited the island of Manhattan, discovered by Hudson, in order to trade with the natives, and built some huts, in token of their possession of the country, to which they gave the name of New-Netherland.

Smith—Stith—Beverly—Keith—Marshall.

CHAPTER IV.


LITTLE did the colonists believe, when they abandoned Jamestown, and with it the hope of being among the founders of the English empire in America, that in a few days an auspicious event was to restore them to their forsaken dwellings, and enable them to resume the successful establishment of the first English colony. How near is often the hour of despair to that, which affords us the true pledge of the attainment of our most sanguine wishes. The colonists were yet in the river, when three ships were descried approaching its mouth; Lord Delaware was in one of them; one hundred and fifty new settlers accompanied him, and the flotilla was loaded with a plentiful supply of provisions, clothing, tools of husbandry, ammunition, &c. He prevailed on the Virginians to return, and on his landing proceeded to the church, where divine service was performed, after which he caused his commission to be read, when president Percy surrendered to him his authority with the patent and seal of the colony.

He had been vested with the sole and supreme command in the colony, in the constitution of which a very important change was effected; the original aristocracy of the country was converted into the rule of one, over the deliberations of whom the

people had no control. The evil of anarchy had of late been so sorely felt, that the necessity of the change appeared obvious, and the amiable and dignified demeanor of the new administrator, either prevented or silenced the murmurs of those who might not relish the alteration. A number of Frenchmen were brought with the last colonists, for the purpose of cultivating the vine; and considerable hopes were entertained that America would supply the market of London with wine. It is extraordinary, that, after the lapse of two centuries, notwithstanding the apparent aptitude of soil and climate, and the very frequent attempts that have followed this very important and costly experiment, and the encouraging success of posterior ones, no practical result has as yet, in any considerable degree realized the fond expectation; nor even authorized the belief that the time is much nearer, when those who delight in the juice of the grape, are to be gratified by the prospect of an American vintage.

Under the administration of lord Delaware, peace, industry, order and plenty succeeded to anarchy, ill success, confusion and dearth.

Sir George Somers had noticed during his stay at Bermudas, that there were in the woods of that island a great number of hogs, which were supposed to have descended from animals of that species that had escaped from some vessel wrecked near that island. It was deemed prudent to send him thither, in order that he might obtain as many of them as possible, which would make a valuable acquisition to the stock of the colony. After a very tedious passage, he reached the island, but before he could



accomplish the object of his mission, he departed this life. Mathew Somers, his nephew, who commanded under him, neglected the execution of his dying will to fulfill the intentions of lord Delaware, and returned to England to carry the corpse; having buried the heart and entrails near the spot on which the principal town of the island has since been built, and called St. George, in honor of the knight.

This year, the earl of Northumberland and forty-four other persons, were incorporated by the name of the "Treasurer and company of the adventurers and planters of the cities of London and Bristol, for the colony and plantation of Newfoundland," and obtained from the king a grant of the country from the 46th to the 52d degree of northern latitude, together with the seas and islands lying within ten leagues from the coast. The preamble states, as one of the inducements to the grant, that "divers of the king's subjects were desirous to plant, in the southern and eastern parts of Newfoundland, whither the subjects of this realm have for upwards of fifty years been used annually in no small number to visit, to fish." The parties soon after sent thirty more persons, under the orders of John Guy, of Bristol; who began a settlement at Conception bay, where they wintered.

Under the administration of lord Delaware, the colony reassumed a promising aspect; but it did not long possess the nobleman, to whom it was indebted for its restoration. His lordship, finding his constitution daily impaired, by a climate not congenial to it, sailed on the 28th of March, in quest

of relief, for the island of Nevis, famous in those days for its wholesome waters. The number of colonists, at his departure from Jamestown, was two hundred.

George Percy, who assumed the reins of government, yielded them to Sir Thomas Dale, who had been appointed to succeed lord Delaware, and who arrived shortly after with three ships, bringing with him three hundred colonists, twelve cows, twenty goats, and abundance of provisions.

A new governor, however, Sir Thomas Gates, arrived in the month of August: with him came a small fleet, consisting of six ships, on board of which were two hundred and eighty men, twenty women, one hundred head of cattle, two hundred hogs, military stores, and provisions.

The colony now began to extend itself up James river, and several new settlements were made. Sir Thomas Dale, with three hundred men, being one half of the colonists, went up James river, and built a town, which, in honor of the prince of Wales, he called Henrico, the ruins of which, according to president Stith, were still visible in 1746. His settlement being some time after attacked by the Appamatox Indians, who dwelt on the river, which to this day preserves their name, he marched against them, drove them off, and took possession of their town, which in remembrance of the island of Bermudas, he called Bermuda Hundred.

In the following year, the company obtained a new charter: its date is of the 12th March. It confirms their former privileges, and prolongs the time of their exemption from the payment of duties on

commodities exported by them, and their certain boundary by this grant was extended, so as to include all the islands lying within three hundred miles of the coast: this extension had been solicited with a view of including within the jurisdiction of Virginia, the island of Bermudas and the islands that surround it.

The company, however, disposed immediately of their new acquisition to one hundred and twenty of their own members, who, in honor of the late Sir George Somers, gave these islands the name of Somers' Islands; a name which they have retained on the English charts: on those of other nations, and pretty generally among English mariners, they are still known by the name of Bermudez, the Spanish navigator who is said to have discovered them. The new proprietors, last noticed, sent thither a colony of sixty persons, under the guidance of Richard Moore. They landed in June, and in the following month subscribed certain articles of government, which have been the origin from which civil institutions have, without interruption, been supported in Bermudas to this day: in the course of the year, the colony received an accession of thirty persons.


King James favored the adventurers of the first colony with the permission of raising in England money by a lottery: this is the first instance of any public countenance being given to the raising of money in this pernicious way.

Two ships, with eighty men, and a supply of provision, arrived this year in Virginia.

The year 1613 is memorable for the first hostilities between the English and French colonists in America.

Samuel Champlain, when commencing the settlement of Canada, had found the Adisonkas engaged in an implacable war with the Iroquois or five nations, a confederacy, consisting of the Mohawks, Oneidas, Onondagas, Cayugas and Senekas, who had been united from ancient time, had been driven from their possessions near Montreal, and had found an asylum on the south-east border of lake Ontario. The Adisonkas had, in their turn, been constrained to abandon their lands, situated above the three rivers, and to look for safety behind the straits of Quebec. Champlain had espoused their cause, and accompanying them, on an expedition against the five nations, had discovered the lake to which he gave his name; but which, except among the French, retains at this day its Indian name Ontario. The alliance of the Adisonkas with the French, turned the scale of success, and the allied tribes were defeated in several battles, and reduced to great distress, till procuring fire arms from a Dutch ship, that sailed high up Manhattan river, they became formidable enemies to the Adisonkas and the French.

Madame de Guercheville, a pious French lady, zealous for the conversion of the American Indians, had procured from Dumontz a surrender of his patent, and obtained from Louis XIII. a charter of all the lands of New France, from the St. Lawrence to Florida, with the exception of Port Royal. She sent out Saussaye, with two Jesuit missionaries. He left Honfleur on the twelfth of March, in a vessel of one hundred tons, and on the sixteenth of May, arrived at Lac Acre, or Acadia, where he set up a cross, with the arms of Madame de Guercheville, in token of his having taken possession for her. He proceeded next to Port Royal, where



he found only five persons, whom he took with him, and two Jesuits whom he met there ; with them he proceeded to Mont Depot, an island thus named by Champlain, at the entrance of the river Pentagoet, in forty-four degrees twenty minutes of latitude ; the Jesuits fixed their settlement on the eastern end of the island, and called the place St. Lawrence. Saussaye left them a suitable number of colonists.

The settlers were hardly provided with accommodations, before they were attacked by the English of Virginia, under captain Samuel Argal, sent by governor Gates, with seven small vessels, sixty soldiers, and fourteen guns. The French were not in a situation to make any resistance, and yielded to superior force. One of the Jesuits was killed, several of the colonists were wounded, and all made prisoners, excepting four or five, who found their safety in flight. Argal supplied his prisoners with a fishing vessel, in which they returned to France ; he however retained fifteen of them and a Jesuit, whom he brought to Jamestown.

On his arrival there, governor Gates, and the council, resolved to send him back to the coast of Acadia, to raze all the settlements and forts to the forty-sixth degree. An armament of three vessels was immediately put under the orders of captain Argal, with which he proceeded to St. Lawrence, where he broke to pieces the cross, with the arms of Madame de Guercheville, and erected another with those of James I., for whom possession was now taken of the country. He next sailed to St. Croix, where he destroyed all the remains of Dumontz's settlement, and proceeding to Port Royal, he reduced the buildings erected there to ashes.

On his return to Virginia, he visited the Dutch settlement on Hudson's river, of which he demanded possession. Hendrick Christians, the governor, incapable of resistance, submitted himself and his colony to the king of England, and under him to the governor of Virginia.

Soon after his arrival at Jamestown, captain Argal accompanied Sir Thomas Gates to Chickahominy, where a treaty was held with the Indians, who solemnly engaged to be faithful to king James.

A proper direction was now given to the activity of the colonists; it exerted itself in useful industry, and a very important change took place. Hitherto, no separate or private property had been allowed, either in any part of the soil, or in the produce of it; the planters had till now labored together, and were fed and supported out of the common stock. The five years during which this imprudent regulation had been enforced, by the king's instructions, were now expired; the effect of it had not differed from what ought to have been expected; few and feeble efforts were made, while industry was not exerted by the certainty of the exclusive enjoyment of the produce of its labor; every one sought to remove his shoulder, as much as possible, from the public burden. Three acres were allotted to each man, to be improved as a farm; he was required to work eleven months for the store, out of which he was allowed twelve barrels of corn, and one month was allotted him to make the rest of his provisions.

In the course of the year, five hundred and forty persons arrived from England, at Bermudas.

Early in the following year, governor Gates returned to England, and the administration of the affairs of Virginia, devolved on general Thomas Dale.

A Dutch governor arrived at the settlement of Hudson river, with a reinforcement, to assert the right of Holland to the country : he refused to acknowledge, as his predecessor had done, the dependence of the colony on the English throne, and put it in a posture of defence ; he built a fort on the south end of the island of Manhattan, where the city of New York was afterwards built.

John Smith visited, this year, the northern part of Virginia, ranging the coast from Penobscot, to cape Cod, trading with the natives. From the observations he made on the shores, islands, harbors and headings, he, on his return, formed a map, and presented it to prince Charles, who, in the warmth of admiration, gave it the name of New England.

The allotment of farms to the colonists had, at first, produced a stimulus to industry ; but while these farms were held by a precarious tenure, and he, who bestowed his labor on the ground, had no security for the enjoyment of the improvements he erected on it, it could not be expected that agriculture should make rapid advances. It was therefore determined, to grant to every adventurer in the colony, fifty acres of land, in free and common socage, and the same quantity for every person imported into the colony.

In 1616, the government of Virginia was committed to Sir George Yardly. Soon after his arrival, the Chickahominies proving refractory, he marched against them with one hundred men ; he made twelve prisoners, who were ransomed for one hundred bushels of corn ; and as the price of peace, the Indians loaded three boats with the same article.

The culture of tobacco, which was introduced about this time, excited the cupidity of the colonists; for it, they neglected the fields that yielded the more necessary, though less profitable kind of produce; thus, their inattention to raising sufficient supplies of provisions, rendered their means of subsistence more precarious; and a consequent scarcity ensued, which compelled the whites to renew their demands upon the Indians: those people, at first, reluctantly yielded a part of their stores; but, the frequency of applications soon induced an open refusal; the English sought to obtain by violence, that which was denied to entreaty: the Indians' antipathy and lurking animosities were revived, and they soon began secretly to look for means of revenge.

Captain Argal, who arrived in Virginia as governor, in the following year, found it verging towards its ruin: the public works and buildings neglected, and fallen into decay; five or six private houses only, fit to be inhabited; the state house occupied as a church; the market place, streets, and every other spare place, planted with tobacco; the people dispersed, and their entire number reduced to about four hundred. It was the misfortune of the colonists, that the new administrator did not possess the talents which their situation demanded.

On the solicitations of the colonists, for a supply of husbandmen and implements of agriculture, the treasurer and company sent out lord Delaware, in a ship of two hundred and fifty tons, with two hundred settlers. His lordship died on his passage, near the bay, which then received, and has to this day retained his title: the ship arrived safely, and soon after, the colony received an accession of forty persons, by another.

Governor Argal's conduct became unusually rigorous; and martial law, which had been proclaimed and executed, during the turbulence of former times, was now, in a season of peace, made the common law of the land: he published several edicts, "which mark the severity of his rule, but some of them evinced his attention to public safety. He ordered that all goods should be sold, at an advance of twenty per cent., and tobacco taken at three shillings per pound, and not more nor less, under the penalty of three years servitude to the colony; that there should be no private trade nor familiarity with the Indians; that no Indian should be taught to shoot game, under the penalty of death, to the teacher and learner; that no man should shoot, except in his own defence, against an enemy, till a new supply of ammunition was received, on pain of a year's servitude; that every person should go to church, on Sundays and holidays, or be confined the night succeeding the offence, and be a slave to the colony the following week; for the second offence, a slave for a month, and for the third, a year and a day."

In the month of April, 1619, Sir George Yardly, who had been appointed governor general of Virginia, reached Jamestown, and, in pursuance of his instructions, issued a proclamation for the holding of a colonial assembly, on the 19th of June. On that day, the representatives of eleven boroughs assembled to exercise legislative powers; they sat in the same house with the governor and council, according to the practice of the Scotch parliament.

The fall of this year is remarkable for a dreadful mortality in Virginia, not less than three hundred colonists having fallen victims to it.

Twenty thousand pounds of tobacco were this year, exported from Virginia to England.

The Puritan or Reformed church, in the north of England, had, in the year 1606, on account of its dispersed state, divided into two distinct churches: one of which, under the care of John Robinson, finding itself extremely harrassed, on account of its non-conformity, sought an asylum in Holland: they settled in Amsterdam, and afterwards in Leyden. After residing several years in the last city, various causes induced them to think of a removal to America. In the year 1617, having determined to go to Virginia, they despatched some of their members to treat with the Virginia company, from which, after several attempts, they obtained a patent, in the year 1619.

Preparations were instantly made, and in the month of July, of the following year, a part of the church returned to England, and on the 5th of August, sat sail from South Hampton, for Virginia, on board the ship *Enterprise*, of one hundred tons; and a smaller one, the *Speedwell*, of sixty: a leak sprung by the latter, compelled them to return, and they at last sailed from Plymouth, leaving the leaky ship behind, and taking another called the *May Flower*.

They reached cape Cod, on the 19th of November, and finding themselves more northerly than they wished, they stood to the southward, intending to land towards Hudson river: falling, however, among shoals, encountering severe storms, they were induced, as the winter was rapidly advancing, to abandon their plan, and after coasting for a considerable time in search of a convenient spot, the company landed, on the 23d of December, and two days after, began to build the first house,

on the spot where the present town of Plymouth, in the state of Massachusetts, now stands.

A few days after their departure from England, king James had granted a patent to the duke of Lenox, the marquises of Buckingham and Hamilton, the earls of Arundel and Warwick, Sir Ferdinando Gorges, and thirty-four other persons, and their successors, under the style of "The council established at Plymouth, in the county of Dover, for the planting, ruling, ordering and governing of New England, in America." The country lies, between forty and forty-eight degrees of north latitude, from sea to sea, was given them in absolute property; the rest of their charter, differs but little from that of the Virginia company.

In the mean time, eleven ships, with twelve hundred and sixteen persons, had arrived at Jamestown, and soon after, one hundred and fifty girls, either "young and uncorrupt," or "handsome and well recommended, for their virtuous education and demeanor," were sent to the colonists. They were thought too valuable to be gratuitously bestowed: one hundred weight of tobacco, the value of which, in money, was about fifty dollars, was at first insisted upon; but the supply not being equal to the demand, the price advanced fifty per cent: and one hundred dissolute persons were delivered, by the king's command, to the treasurer and company at home, by the knight marshal, and were accordingly sent over as servants.

The culture of tobacco had hitherto exclusively engrossed the attention of the colonists. It was now directed, to more immediate and variegated objects: one hundred and fifty persons were employed in setting up iron works; others were directed to apply them-

selves to making pitch, tar and potash, to erect some mills, and prepare for the culture of silk : tobacco was, however, still considered the principal staple commodity, and an inspection of it was now ordered.

A Dutch ship arrived at Jamestown, and disposed of twenty negroes : this was the first importation of the kind.

The colony was flourishing ; it had been divided into eleven parishes, and had five clergymen.

In the next year, governor Yardly was succeeded by Sir Francis Wyatt ; seven hundred settlers arrived with the new administrator : he brought an ordinance and constitution of the treasurer, council and company, in England, for settling the government of the colony in a governor, a council of state, or his assistants, and a general assembly. The latter body was to consist of two burgesses, to be chosen by every town, hundred, or particular plantation : the governor had a negative on all laws : but they were not to have any force till ratified by the general court, or the company in England, whose orders were, on return, to be of no force, till approved by the general assembly in Virginia.

Provision was made for the establishment of a school in Charles city, and for the support of the clergy throughout the province.

Sir Ferdinando Gorges, who was entrusted with the affairs of the Plymouth company, conceived the design of persuading the Scotch to form a settlement in New England : for that purpose a patent, for the whole country of Acadia, was granted to Sir William Alexander : it was erected into a palatinate, by the name of Nova Scotia, to be holden as a fief of the crown of Scotland, and the proprietor was invested with the accustomed re-

gal powers, belonging to a county palatine. The attempt to bring over a Scotch colony proved abortive. Sir Alexander divided his palatinate into two districts, calling the southern one Nova Caledonia, and the other Nova Alexandria.

This year, George Calvert Lord Baltimore, obtained a patent for the south-eastern peninsula, of Newfoundland, which, he named the province of *Avalon*, from Avalonius, a monk, who was supposed to have converted the British king Lucius and all his court, to Christianity. At Ferryland, in the province of Avalon, lord Baltimore built a fine house, and spent two thousand five hundred pounds sterling, in advancing his plantation. He appointed Edward Wynne, governor of the colony, and visited it twice in person; but he was so annoyed by the French, that, though he repulsed and pursued their ships, and took sixty prisoners, yet, he found his province so much exposed to their insults, and the trouble and expense of defending it so very great, that he was obliged to abandon it.

Virginia now made rapid advances in population and wealth. The quantity of tobacco, now exported, was more than sufficient to supply the English market; and the company opening a trade, for the surplus, with the Dutch, considerable shipments were made to Middleberry and Flushing. This division of wealth, and the consequent diminution of the revenue, which the crown derived, from a duty which had been imposed on the importation of tobacco, awoke the attention of the king, who interposed his authority, to check, what he called an illegal innovation. The company invoked, not only their general privileges as Englishmen, to carry their commodities to the best market, but insisted on the full

benefit of the particular concession, in their charter, by which they contended an unlimited freedom of commerce was secured to them. This controversy, which is remarkable, as the first between the mother country and one of the colonies, was at last, terminated, by an amicable arrangement. The company obtained the exclusive right of importing tobacco into the kingdom, and submitted to the obligation of bringing all its productions there, and to a duty of nine pence per pound of tobacco.

Extensive settlements were now made, at a considerable distance from Jamestown, even as far as the Potomac; and the situation of the colonists appeared so prosperous, when contrasted with the disastrous state, in which it had lately been, that they suffered themselves to be lulled with the most dangerous security, and their attention to be entirely taken up, in procuring the luxuries of civil life; their martial exercise was entirely laid aside, and every precautionary measure, against the infidelity and attacks of the Indians, discarded as superfluous.

These people had been employed by the whites, in the capacity of menial servants, of fishermen, and hunters; they had been allowed the use of fire arms, and had acquired a considerable dexterity in the management of them: those who did not dwell within, or in places contiguous to the habitations of the whites, came into them at all times of the day, and even of the night, and were received as welcome guests, or, at least, as harmless visitants. This inconsiderate confidence, enabled them to plan, and in a great degree to accomplish, the general slaughter of the whites: the plot was concealed with surprising secrecy, although all the natives within

a very wide circle, were successively engaged in the conspiracy. Each tribe had its station allotted, and a part cast in the tragedy. On the morning of the day appointed, every one was at his post, and the English were so unconscious of the approaching catastrophe, that a number of Indians, who came in as spies, to ascertain whether any unthought of obstacle might prevent the success of the enterprise, under the pretence of bringing in, as usual, presents of venison and vegetables, were received with the accustomed cordiality. As the sun reached the meridian, the foe suddenly rushed in, from every point of the compass, upon the settlements of the whites, in every part of the colony. Men, women and children fell, indiscriminately, under the axe or knife. Jamestown was, however, saved by the fidelity of an Indian, who lived with one of the planters, as one of his domestics, and recoiling at the idea of being the destroyer of his master, acquainted him with what was about to happen, soon enough to alarm his neighbours, who, running to their arms, defended themselves so bravely, as to repel the assailants. The Indians had not courage or strength of mind, to execute the horrid deed, which they had, with so much sagacity, concerted and concealed.

In some of the settlements, not one white person escaped: in the whole, one fourth part of them fell. War ensued, and was followed by famine. Eighteen hundred persons only, survived these disasters.

Several families fled to the southward, and settled a place called *Mallica*, near the river May, and afterwards, visited and converted the Appalache Indians to the Christian faith.

On the first account of this complicated series of disasters, a liberal collection was made for the relief of the sufferers, by the company in London. A supply of arms was obtained from the tower, and vessels were speedily despatched with the much needed relief.

While the colony experienced so disastrous a calamity, the company at home were distracted by dissention in her councils. The king added his influence to the efforts of one of the parties that divided the company : but its weight was not sufficient to cause the scale to preponderate. Chagrined at this, he commissioned Sir William Jones, and six other persons, to inquire into all matters respecting Virginia, from the beginning of its settlement ; and he also, at the same time, sent others to inquire on the spot. On the arrival of this deputation at Jamestown, the general assembly was called, not at their request, for they kept all their designs as secret as possible. The house had information of the proceedings in England, and copies were sent over of all the papers that had been acted on ; they drew up a spirited remonstrance, and sent an agent with it to England.

This legislature is the first, the records of which have escaped the destroying hand of time. One of the acts it passed, is in the nature of a bill of rights ; it defines the powers of the governor, the council, and the assembly, and it asserts and declares the privileges of the people, in regard to taxes, burdens, and personal services.

In the mean while, the king had, by a writ of *quo warranto*, prosecuted the annihilation of the company : he was not unsuccessful ; the court of king's bench declared the charter forfeited.

On the 26th of August, a commission was issued for the appointment of Sir Francis Wyatt, as royal governor of Virginia, with eleven assistants or councillors; both the chief administrator and his council, were to act during the king's pleasure: no assembly was mentioned or allowed.

James did not live to realize the fond expectations, which he now entertained, from his uncontrolled management of the affairs of Virginia.

At his decease, which happened on the 27th of March, 1625; he left the English settlements, in America, in a very advanced degree of progressing improvement. On his coming to the throne, he found not an individual of his nation living under her laws, in any part of the new world. The settlers of his province of Virginia, were now scattered over all the borders of the Chesapeake, within the present limits of the state; they possessed large herds of cattle; great sums of money had been spent, and much care bestowed, in the prosecution of useful arts and manufactures, particularly iron works, wine, silk, sawing mills and salt pans. The exportation of tobacco averaged forty-two thousand and eighty, five pounds a year, and a specimen of Virginia wine had been sent to England, in 1622.

The northern colony, although but four years had elapsed since "the landing of the pilgrims," had multiplied their settlements along the coast.

Neither was the success of the English in colonization confined to the main. The small island of Bermudas and its islots contained now, an English population equal to that of Virginia, successfully employed in raising tobacco; and in the last year of James' reign, the

islands of St. Christopher and Barbadoes, began to be added to the list of English colonies.

The French and the Dutch were the only nations that could be said to have, at this time, any establishment in North America, although the Spaniards had yet, as in the beginning of James' reign, a few soldiers garrisoning some forts built on the coast of Florida.

But neither the French nor the Dutch could rival the English : the first had established the towns of Quebec and Montreal, but the population there was extremely thin ; they traded at Tadoussac, and had some fishing huts on the coast of Acadia : they had also, a few soldiers in a fort they had built, in the island of St. Christopher.

The Dutch at New Netherlands, in defence of that colony, had built several forts, one on the east side of Delaware bay, which they named fort Nassau, one up Hudson river, called fort Orange, on the spot on which stands the present town of Albany, and a third, the Hirsse of Good Hope, on Connecticut river. At the mouth of the Hudson, they had laid out the city of New Amsterdam, which is now known as that of New York ; they gave their attention, principally to the fur trade ; four thousand beaver, and seven hundred otter skins, were exported to Holland, in the year 1624, estimated at twenty-seven thousand one hundred and fifty guilders.

Lord Baltimore, had abandoned the settlement he had begun at Newfoundland ; none of the European nations had any established government there ; fishing vessels from the most of them, sought employment thither ; among them, the English had three hundred and fifty

sail, estimated at one thousand five hundred tons, employing five thousand persons, and making on an average, annually, about one hundred and thirty-five thousand pounds sterling.

Smith—Stith—Beverly—Keith—Marshall.

CHAPTER V.

SIR George Yardly was appointed governor of Virginia, on the accession of Charles II. to the throne of England. The new monarch devolved, on his representative at Jamestown, the absolute government of the province, under the directions of the crown; the Virginians were compelled to obey statutes, in the formation of which they had no agency, and to pay taxes, for the imposition of which they were not consulted. Neither was the new oppressive system confined to their public affairs; it soon affected private property; the planters were forbidden to dispose of their tobacco to any person, but certain commissioners appointed by the king to engross that commodity; the king's favorites, at home, soon began to obtain vast and ill defined concessions of land, which checked the progress of agriculture, and became the source of frequent disputes about titles, and consequent litigation.

In the following year, a bill for the maintenance and increase of shipping and navigation, and for the free liberty of fishing voyages on the coasts of Newfoundland, Virginia and New-England, passed the house of commons, but never was returned from the house of lords; it is supposed to have been the revival of a bill, the introduction of which had given offence to king James, in 1621. The spirit of the commons was not

repressed by the miscarriage of it ; in a strong representation of grievances, which they presented to the monarch, they insisted that "restraint of the subject from the liberty of a free fishing, with all the necessary incidents, was a great national grievance." The spirit displayed by this animated assembly, and its refusal to grant to the sovereign a required aid, brought on its dissolution.

Gustavus Adolphus, king of Sweden, having patronized the scheme of Gulielm Usselin, to establish a Swedish colony, near that of the Dutch, on Hudson river, a number of Swedes and Fins came over in the year 1627, and landed on cape Henlopen, which they called Paradise Point ; they purchased from the natives all the land from that cape to the falls of the Delaware.

On the twenty-second of June, Charles I. granted to the earl of Carlisle the island of Barbadoes, and all the Caribbee islands ; the whole was erected into a province, which, in honor of the patentee, was called *Carloliola*.

Governor Yardly dying, was succeeded by sir John Harvey. The conduct of the new administrator was not calculated to lessen the pressure of the king's despotism ; he was haughty, inauspicious, and unfeeling.

The English, the following year, settled on the island of Nevis, and at the same time was laid the foundation of the colony of Massachusetts. The council for New-England, on the nineteenth of March, sold to sir Henry Roswell, sir John Young and four other associates, in the neighborhood of Dorchester, in England, a patent for all that part of New-England, lying between three miles to the northward of Merrimack river, and three miles to the southward of Charles river, and a length within the described breadth, from the Atlantic ocean to

the South sea, and on the following year the grantees were incorporated, by the name of "the governor and company of the Massachusetts bay, or New-England."

A commission having been given this year, by Charles I. to David Kertz and two kinsmen of his, of the same name, they advanced as far as point Levy, and sent an officer on shore, to Quebec, to summon the city to surrender. Samuel Champlain, who had the chief command there, knowing his means inadequate to a defence, surrendered the city by capitulation.

This year, the town of Boston, in Massachusetts, was settled.

In 1629, the English began a settlement at New-Providence, one of the Bahama islands, which at that time was entirely uninhabited.

Sir William Alexander sold all his rights in Nova Scotia, excepting Port Royal, to Saint Etienne, lord Latour, a French Huguenot, on condition that the inhabitants of the territory should continue subjects to the crown of Scotland. The French still retained possession of the country.

Sir Robert Heath, attorney-general to Charles I. obtained a grant of the lands between the thirty-eighth degree of north latitude, to the river St. Matheo. His charter bears date of October 5, 1629, or the fifth year of Charles I. The preamble sets forth, that the grantee being excited, with a laudable zeal for the propagation of the Christian faith, the enlargement of his sovereign's empire and dominions, the increase of the trade and commerce of the kingdom, had besought leave, by his own industry and charge, to transplant an ample colony of English subjects, unto a certain country in America, not yet planted or cultivated.

The land granted, is thus described : "by all that river or rivulet of San Matheo, on the south part, by all that river or rivulet of Passo Magno, on the north part, and all the lands, tenements or hereditaments, within the said two streams, by the tract thereunto, the ocean on the eastern and western parts, so far south as the continent extends itself there: and also all those islands of Veanis and Bahama, and all the islands and islots near thereto, and lying southward of and from the said entrances all which lie within the thirty-first and thirty-sixth degrees of north latitude inclusively."

The tenure is declared to be as ample as any bishop of Durham, in the kingdom of England, ever held and enjoyed, or ought or could of right have held and enjoyed.

Sir Robert, his heirs and assigns, are constituted the true and absolute lords and proprietors, and the country is erected into a province, by the name of Carolina, and the islands are to be called the Carolina islands.

Sir Robert conveyed his right, some time after, to the earl of Arundel. This nobleman, it is said, planted several parts of his acquisition, but his attempt to colonize was checked by the war with Scotland, and afterwards the civil war. Lord Maltravers, who soon after, on his father's death, became earl of Arundel and Sussex and earl marshal of England, made no attempt to avail himself of the grant.

On the fifth of November, a treaty of peace was concluded with Spain, by which it was stipulated, that the subjects of both crowns should be at peace and amity, in all parts of the world. Hitherto, the Spaniards had exercised perpetual hostility against all European ships

in the American seas, pretending, under Alexander's bull, to the exclusive right of navigating them.

Robert, earl of Warwick, having the last year received a patent from the council of Plymouth, of all that part of New-England, which extends from Narraganset river one hundred and twenty miles, on a strait line, near the shore, towards the south-east, from sea to sea, now made it over to William viscount Say and Seal, Robert, lord Brook, and their associates. This is the original patent for Connecticut.

In the month of May, the king granted a license, under his sign manual, to William Claiborne, "to traffic in those parts of America, for which there was already no patent granted for the sole trade." Claiborne and his associates, with the intention of monopolizing the trade of the Chesapeake, planted a small colony on the island of Kent.

By the treaty of St. Germain, in the following year, Charles I. resigned the right which he had claimed to New-France, Acadia and Canada, as the property of England, to Louis XIII. king of France.

Sir Thomas Warner, governor of St. Christopher, established a small colony on the island of Montserrat. Antigua was settled at the same time.

George lord Baltimore, sickened by the severity of the climate, and barrenness of the soil, in his province of Avalon, having visited that of Virginia, was much pleased with the mildness of the weather and the fertility of the land, and observing that the settlements in the latter province did not extend behind the river Potomac, on his return, solicited a grant, but before the patent could be prepared and pass the seals, he died, on

the 16th of April. On the 20th of June following, his eldest son Cecilius Calvert lord Baltimore, received a grant of a vast tract of land to the northward of the river Potomac, which was erected into a province, by the name of Maryland, in honor of Henrietta Maria, queen of England, and daughter of Henry IV. of France; this included the island of Kent, of which we have seen William Clayborne had possessed himself the preceding year.

This grant gave umbrage to the Virginians; in a petition to the king, they remonstrated against "some grants of a great portion of the lands of the colony, so near their habitations, as will be a general disheartening to them, if they shall be divided into several governments." Clayborne lay claim to his island, and declared his intention to disown the jurisdiction of Maryland, countenanced by the Virginians, whose jealousy of the new grantee was extended to the members of the religion he professed; the legislature passed severe laws against sectaries of all denominations: this was an inconsiderate act; it occasioned the flight of some of the planters to other colonies, and prevented the arrival of others who intended to remove to Virginia.

This year was buik the first house in Connecticut.

Lord Baltimore sent over his brother, George Calvert, with about two hundred Roman Catholics; they sailed from England in the month of November, and arrived in the Chesapeake in the following year; proceeding to the Potomac, he passed by the Indian town of that name, and went to Piscataway, where by presents to the head men, he conciliated their friendship to such a degree, that they offered to sell one part of the town to him, and to live in the other, till they could gather their

harvest, when they would resign the whole to the English. Calvert, thus obtaining possession of the town, gave it the name of St. Mary's.

The king now gave a special commission to the archbishop and eleven other persons, for governing the American colonies, and an order was given to the lords commissioners of the cinque ports and other sea ports, to stop the promiscuous and disorderly departure of the king's subjects to America, and the sending of a governor-general thither was spoken of.

As soon as information of this reached Boston, there was a general meeting of as many of the colonists, as could be called together, and the clergy were wished to attend it, and give their advice; all the ministers appeared, except one, and the meeting came to an unanimous resolution, that if such a governor were sent, he ought not to be received, but the people should, if able, defend their lawful rights, otherwise temporise.

In the summer, the council of Plymouth surrendered its charter to the king, that instrument being complained of in parliament, who construed it as a monopoly: and soon after, a *quo warranto* was brought against the governor, deputy governor and assistants of the corporation of Massachusetts, on which a judgment was soon obtained against them. Preparations were made for sending over a governor-general, but a large ship, which was built for that purpose, fell asunder in the launching, and the scheme was abandoned.

In the fall, the patentees of Connecticut sent over John Winslow, as the first governor of that colony; the Dutch of New Netherlands opposed his taking possession of his government, but he prevented them, and

built a fort at the entrance of Connecticut river, which he called Saybrook.

The French this year made their first establishment at Cayenne, in the West Indies, under Monsieur de Bouligny.

In the following year, the settlement of Providence was began, under the auspices of Roger Williams, a minister, who had been driven away from Massachusetts; and John Wheelright, another minister from the same colony, who was ordered by the general court to remove out of the jurisdiction of Massachusetts, on a charge of sedition and contempt of authority, began a plantation at Rhode Island.

Although the people in Virginia, at a great distance from the throne, and ever awed by the authority derived from a royal commission, submitted for a considerable time to governor Harvey's exactions and tyranny, their patience was at length exhausted; roused almost to madness, they seized and sent Sir John a prisoner to England.

The king found the mode, adopted by his subjects, in Virginia, to redress their own grievances, quite repugnant to his idea of the passive obedience due to a monarch; he considered it as an encroachment on his rights, and a daring act of rebellion; he refused to admit to his presence two colonists, who had come over with the governor, in order to lay the complaints of their countrymen at the foot of the throne, and far from hearkening to their solicitations, he renewed the powers of Sir John, and commanded him to return immediately to Jamestown.

Charles did not, however, persist long in the determination of disregarding the remonstrances of the colonists;

either affected by their distress, or conscious of the danger he ran in provoking them, to assert their rights by violence, he despatched, in the following year, Sir John Berkley, to supersede governor Harvey.

The new administrator, on meeting the colonists, imparted to them the orders he had received, to rule the country, according to the laws of England, and he soon after directed an election of burgesses, to meet him and the council in a general assembly.

In the month of April, the king issued a proclamation, to restrain the transportation of his subjects to America; it forbade the granting of any license for that purpose, unless the applicant produced a certificate of his having taken the oaths of supremacy and allegiance, and conformed to the discipline of the church of England; and an ordinance was issued, forbidding all persons to entertain any stranger that should arrive in the colonies, with intention to reside, or allow him an habitation, without liberty from the standing council.

The plan of uniting the government of the American colonies, under one officer, was revived, and Sir Ferdinando Gorges was appointed governor-general, but it does not appear that he ever acted under his commission.

Governor Berkley had it in strict charge, to require from every vessel sailing from Virginia, a bond with surety, for the landing of her cargo in some part of the king's European dominions.

Monsieur d'Ernambuc, the founder of the French colony in the island of St. Christophers, brought from that island one hundred soldiers, to Martinico; he built a fort, which he called St. Peters', and began the settlement of that island.

The power of archbishop Laud growing grievous to the Puritans, many of them thought of seeking refuge in the American plantations; such number of families began to transport themselves, that government took umbrage, and a proclamation was issued, to prevent migrations to America, without the king's license. Oliver Cromwell and John Hambden, two persons who a few years after became so famous, were among a number of men of note, who had made preparations for their departure, and in consequence of the proclamation, the lord treasurer was directed by an order of the king and council, to take speedy and effectual measures for the stay of eight ships, in the river Thames, bound to New-England; accordingly, Oliver Cromwell and John Hambden, and the rest of the passengers, were compelled to abandon their intended voyage.

In the following year, Sir Ferdinando Gorges obtained from the crown a distinct charter of all the land, from Pasquataqua to Sagadahoc, styled the Province of Maine; he was created lord palatine of the country, with the same powers and privileges as the bishop of Durham, in the county palatine of Durham; he constituted a government in the province, and laid the foundation of a city, which he called *Gorgeana*.

This year is noted for the establishment of the first printing press in North America, it was set up at Cambridge; and the establishment of a nunnery in Quebec, in Canada.

The colony of Virginia was called upon by the king's letter, to grant assistance to Henry lord Maltravers, in settling Carolana, and on motion of William Hawley, who was his lordship's deputy, an order of council was made to that effect.

An attempt was made in parliament, to establish over Virginia the government of the ancient company, and to annul the charter of Maryland; but it was vigorously opposed by the Virginia assembly, and the measure was abandoned: "the ancient dominion had now learned from experience, that more liberty is enjoyed under any form, than beneath the rule of a commercial company."

The French began, in 1641, to establish a colony at a place on the continent of South America, called Surinam, but finding the climate unhealthy, and the land low and marshy, they abandoned it to the English, who the same year, under the auspices of lord Willoughby, first settled there.

The intrigues of Clayborne in Maryland infused jealousy into the natives; the rapid increase of the English, threatening their own annihilation as a people, gave them much uneasiness; individuals procured their lands, without the authority of government, for considerations totally inadequate, with which, therefore, on review, they were greatly dissatisfied. These combined causes, in the beginning of 1643, brought on an Indian war, which, with its accustomed evils, continued several years.

On the nineteenth of May, 1643, was signed at Boston, a treaty made between the colonies of New-England; this measure had been in agitation for several years, and five years before those of Massachusetts, Connecticut, Plymouth, and New-Haven, had formed a treaty of amity, offence and defence, mutual advice and assistance, on all necessary occasions; circumstances delayed the execution of this treaty, which was now subscribed by commissioners from those colonies, who

met at Boston. The vicinity of the French, Dutch, and Swedes, the hostile attitude taken by the Indian tribes near them; the civil dissensions in England, which obstructing commerce, rendered a communication with the mother country difficult, and consequently prevented the means of obtaining supply or relief on urgent occasions.

The parties to this instrument declare, that as in nation and religion, so in other respects, they be and continue one, and henceforth be called the United Colonies of New-England. The united colonies were to form a body, with regard to their common concern, but the private concerns of each were to be managed by its own court and magistrates; in case of need, the force to be raised by the union, was to be, in the proportion of one hundred men in the colony of Massachusetts, and forty-five in each of the others. This union subsisted until the abrogation of the charter of the New-England colonies, by James II. in 1684.

The earl of Warwick was this year appointed, in pursuance of an ordinance of parliament, governor in chief and admiral of the American colonies; a council was given him, composed of five peers and twelve commoners; with it he was empowered to examine the state of the colonies, to send for persons and papers, to remove governors and officers and appoint others in their places, and to assign to those such part of the powers that were there granted, as he should think proper.

One of the first acts of the new governor in chief was a charter of incorporation of the towns of Providence, Newport and Portsmouth, with the power of governing themselves, but agreeably to the laws of England.

Duparquet of Martinico this year took possession of the island of St. Lucia, in the name of Louis XIV. who had ascended the French throne two years before.

The legislature of Virginia prohibited trade by barter, and established the piece of eight or six shillings, as the standard of currency for the colony.

A rebellion now broke out in Maryland, at the head of which were William Clayborne and Richard Ingle, who not only forced governor Calvert to fly for aid and protection into Virginia, but took possession of the public records, and for a long time prevented the exercise of the powers of government.

By an ordinance of the lords and commons of England, all merchandize, goods and necessities, for the American plantations, were exempted from duty for three years, on condition that no ship or vessel in any of the colonial ports, be suffered to load any goods of the growth of the plantations, and carry them to foreign parts, except in English bottoms. This was the foundation of the navigation acts.

The French, in Canada, finding it difficult to contend with the Iroquois, a very powerful nation of Indians, solicited aid from the province of Massachusetts, and offered liberal compensation: but no succor was given, it being thought, those Indians would be a powerful bulwark between the English and French, in case of a war breaking out between them.

The commissioners of the united colonies sent an agent to the governor and council of Canada, to project an agreement, by which, in case of war between the two nations, the French and English colonies should remain in peace. Monsieur d'Ailleboust, the governor,

as well as his council, received the proposition with great eagerness, and appointed father Dreuilletes to go to Boston to make the necessary arrangements, on condition that the English would aid the French against the Iroquois: but the same reasons, that had induced the rejection of this measure last year, prevailed, and nothing was done.

The year 1648 is remarkable for the peace of Westphalia.

The French, under the auspices of Monsieur de Poincy, governor of St. Christopher, began their settlements in the island of St. Bartholomew.

During the extreme distress of the royal party in England, this year, the territory between the Rappahannock and the Potomac, was granted to lords Hopton, Beverly, Culpepper, and other cavaliers, who probably wished to make Virginia an asylum.

On the 30th of January, Charles I. was beheaded at Whitehall, in the fifty-first year of his age, and the twenty-sixth of his reign.

At the demise of this monarch, the whole centre coast of the northern continent of North America, was either settled or had been granted away, from the province of Maine to the river St. Matheo. The settlements of the French, in Canada, were in a considerable progress.

The foundation of the whole of the New-England colonies was laid; the Dutch possessed the present states of New-York and New-Jersey, and part of that of Connecticut, and had plantations much higher than Albany; the Swedes occupied the shores of the present states of Pennsylvania and Delaware; the colony of Maryland, owing to its late commotion, was still in its infancy; that of Virginia was in a prosperous state; the country

now covered by the states of North and South Carolina, and Georgia, was claimed by the assignees of Sir Robert Heath, who till now had made no advances towards the occupation of it.


The Spaniards had made no improvements in Florida; they still kept, as during the reigns of the two predecessors of Charles I., a few soldiers in some forts on the coast.

We have seen, that part of the island of St. Christopher had been occupied by the English, and another by the French; these two nations still kept their possessions.

The English, during Charles's reign, had occupied, in the West Indies, the island of Barbadoes.

The French had settled colonies in Martinico, St. Lucia, St. Christopher, and claimed the island of Grenada, but the establishments were of so little importance, that in the year 1651, Duparquet purchased from the West India company, the islands of Martinico, St. Lucia, Grenada, and the Grenadines, for fifty thousand livres, of the value of little more than ten thousand dollars. Seven years after, the progress of colonization in the West Indies had been so very great, that he sold the single island of Grenada, for thirty thousand crowns, of the value of about eighteen thousand dollars.

The successes of the English, in the predatory incursions upon Spanish America, during the reign of Elizabeth, had never been forgotten : and from that period downward, the exploits of Drake and Raleigh were imitated, upon a smaller scale indeed, but with equally desperate valour, by small bands of pirates, gathered from all nations, but chiefly French and English. The engrossing policy of the Spaniards tended greatly to extend the number of these freebooters, from whom their




colonies suffered in the issue dreadful calamity. The windward islands, which the Spaniards did not deem worthy their own occupation, had been gradually settled by adventurers of the English and French nations ; but Frederick of Toledo, who was despatched in 1630 with a powerful fleet against the Dutch, had orders from the court of Madrid to destroy these colonies, whose vicinity at once offended the pride, and excited the jealous suspicions, of their Spanish neighbors. This order the Spanish admiral executed, with sufficient rigour : but the only consequence was, that the planters, being rendered desperate by persecution, began, under the well known name of buccaneers, a retaliation so horribly savage, that the perusal makes the reader shudder. When they carried on these depredations at sea, they boarded, without respect to disparity of number, every Spanish vessel that came in their way, and demeaning themselves both in the battle and after the conquest, more like demons than human beings, they succeeded in impressing their enemies with a sort of superstitious terror, which rendered them incapable of offering effectual resistance ; from piracy at sea, they advanced to making predatory descents on the Spanish territories, in which they displayed the same furious and irresistible valour, the same thirst of spoil, and the same brutal inhumanity to their captives ; the large treasure which they acquired in their adventures, they dissipated in the most unbounded licentiousness, in gaming, women, wine, and debauchery of every species ; when their spoils were thus wasted, they entered into some new association, and undertook new adventures.

Smith—Stith—Beverly—Keith—Marshall.

Governor Berkely, who had timely notice of the approach of the men of war, made preparations to defend the country. There happened to be before Jamestown, seven Dutch ships, the masters of which, apprehending they might be considered as pursuing a forbidden trade, were easily persuaded to lend their assistance, in repelling the squadron of the commonwealth. The cargoes of these ships were landed, cannon was put on board, and they were filled with armed men: a line of them was formed, moored close to shore, with their broadsides to the enemy: several pieces of ordnance were placed, so as to support the line formed by the ships, flanked by a number of troops, covering the shores of the river as far as the eye could reach.

The commander of the English fleet, whose force was much weakened by the fatigues the troops had experienced, and the shortness of the supply of provisions, was much disappointed in encountering, when he imagined he touched the end of his labors, an enemy so well prepared to resist him; he determined on an attempt to attain by negotiation, what appeared so difficult to effect by arms; flags of truce passed between him and the governor.

One circumstance was calculated to facilitate the submission of the colony. There were on board of the fleet, large quantities of merchandise belonging to two members of the council, who were not long without understanding, that the restoration or loss of their property depended on their conduct, or the eventual success of the negotiation. Beverly, a historian of the day, imagines that the unanimity, which heretofore had prevailed in the councils was, on this account, destroyed



and perplexed; the idea of resistance was abandoned, and the efforts of the council, were confined to obtaining favorable terms for the surrender of Virginia.

In this they met with no difficulty : the English commander consented, that neither the governor nor any of the council, should be obliged to take any oath or engagement to the commonwealth, for twelve months ; nor confined for praying for, or speaking well of, the king, in their private homes or neighbourly conference, during that time.

That governor Berkely might, at his own expense, send a person to give an account to the king, of the surrender of the colony.

That the governor and members of the council, should have their lands, horses, goods, and debts protected, and liberty to remove themselves with their property.

That all persons in the colony, who had served the king in it or in England, should be free from prosecution therefor, and that the commissioners of the protector should issue, immediately on the surrender of the colony, an act of oblivion and indemnity, under their hands and seals : these preliminaries having been arranged, articles were agreed on for the surrender of the colony.

It was stipulated, that the plantations of Virginia and its whole lands, should be and remain, in due obedience and submission to the commonwealth of England, and enjoy the same freedom and privileges, as the freeborn people of England.

That the general assembly should convene, and transact business, as had been theretofore used ; but that

nothing should be acted or done, contrary to the government of the commonwealth, and the laws then established.

That there should be a total remission and indemnity, of every thing done or spoken against the parliament.

That the ancient limits of the colony should be confirmed ; as well as all the patents for land, granted by any of the preceding governors ; and the privilege, of fifty acres of land to new comers, should be continued.

That there should be as free a trade from Virginia, as from any English plantation in America.

That Virginia should pay no taxes, not imposed by the general assembly, and that no fort or garrison should be erected or maintained, without its consent, and no charge should be made against them for the present expedition.

That such colonists, as might refuse to take an oath of fidelity to the commonwealth, might, within one year, withdraw themselves and property.

That the use of the prayer book, changing what relates to the sovereign, should continue ; that the ministers should remain in their functions for one year.

That the grant of the quit rents for seven years, should be confirmed.

On the 30th of April, it was agreed, in a general assembly, composed of the commissioners and representatives of the people, that Richard Bennett should be governor for one year, or until the pleasure of the council of state should be known. William Clayborne was appointed secretary of the colony ; and a council of thirteen was, at the same time, appointed to advise the governor ; and these executive officers were directed to

act from time to time, and to have such power and authorities as, by the house of assembly, shall be appointed and granted, to their several places.

To encourage the staple commodity of Virginia, the English parliament, this year, passed an act which gave legal power to the ordinances of James and Charles, forbidding the planting of tobacco in England.

The inhabitants of the province of Maine were, at their own request, taken under the protection of the colony of Massachusetts, to which they have remained united in government, till within a few years. Massachusetts claimed the jurisdiction of that province, as lying within the limits of its charter of 1628.

The government of Maryland was taken out of the hands of Lord Baltimore, for disloyalty to the ruling power in England, and settled in the hands of parliament; two years after, it was vested in those of the protector.

By an order of the council of state for England, the government of Rhode Island was suspended; but the colonists, taking advantage of the distraction which soon after ensued in England, resumed its government, and continued without interruption till the restoration.

This year is noted for the first coinage in the English colonies. A mint being established in Boston, the money coined was in pieces of one pound, six shillings and three pence.

The law enacted, that the legend, Massachusetts, and a tree in the centre, be on one side of the coin, and New England, the year of our Lord, and the figures XX, VI, and III, according to the value of the piece, be on the other side; the date, 1652, was never altered

although more coin was stamped annually, for thirty years.

This year was executed, at Hartford, in Connecticut, Mrs. Greensmith, the first witch heard of in North America : she was accused, in the indictment, of practising evil things on the body of Ann Cole, which did not appear to be true. The Rev. Mr. Stone and other ministers, swore that Mrs. Greensmith had confessed to them, that the devil had had carnal knowledge of her. The court then ordered her to be hanged on the indictment.

Sir William Berkely representing, that he had been prevented, by the war between the protector and the Dutch, from leaving the colony, and the time allowed him to stay, by the articles of capitulation, having expired, a delay of eight months was allowed him by the general assembly.

The settlement on Albemarle sound continued to increase ; and in 1653, the legislature of Virginia, on the application of Roger Greene and others, inhabitants of Nansemond river, ordered, that ten thousand acres of land, be granted to the first one hundred individuals, who might settle on Moratuck or Roanoke rivers, and on the south side of Chowan river and its branches. It was required they should settle by each other, and be supplied with arms and ammunition. One hundred acres were granted to Greene, next to those formerly granted, as a reward.

In the year 1654, Edward Digges succeeded Richard Bennett, as governor of Virginia.

Preparations were made, this year, in New England, for the conquest of the settlement on Manhattan island and Hudson river, from the Dutch. But, Oliver

Cromwell, desirous that the two sister republics might be well together, made a sudden peace, which put an end to the hostile intentions of New England, and left the Dutch, for a few years longer, in possession of New Netherlands.

Colonel Woods, who dwelt at the falls of James river, sent suitable persons, on a journey of discovery to the westward; they crossed the Allegheny mountains, and reached the banks of the Ohio, and other rivers emptying into the Mississippi.

Towards the close of this year, the protector sent vice-admiral Penn, with a fleet of thirty sail, on board of which was a considerable number of land forces, under general Venables, to take the island of Jamaica. After taking a reinforcement of three thousand five hundred soldiers, in the island of Barbadoes, the fleet arrived before Jamaica on the 13th of April, and soon after began the attack; but the Spaniards made so rigorous a defence, that the general was obliged to re-embark his men. The army landed before, and began the siege of St. Yago de la Vega, the capital of this island; on the 2d of May, on the fall of the city, the whole island was reduced, and annexed to the dominions of England, of which it has to this day made a part.

The Dutch now drove away the Swedes, from their possession on the Delaware, which was added to New Netherlands. It will be remembered, that the Swedes had first landed on the banks of the Delaware, in the year 1627. During a period of about thirty years, they extended their settlements along the shore, as high up as the spot, on which the town of New Castle now stands; there they had a fort, called fort Casimir, the name of which, the Dutch altered to Ninser Amstel; they had

another fort, called fort Christina, on the stream which to this day retains that name.

The city of New Amsterdam (now New York) was in the following year, laid out into streets, on the original plan, which has since been improved to so great an advantage.

Governor Digges was succeeded in the chief magistracy of the colony, in the year 1656, by Samuel Mathews. The new governor did not long hold the reins. He was, soon after his election, requested to join his two predecessors, who had been sent to England, as agents of the colony, to solicit the ratification by the protector, of the articles on which Virginia had been surrendered, as well as a favorable settlement of a dispute respecting boundaries, which had for several years, existed between the colonies of Maryland and Virginia, to remove unfavorable impressions, which the mind of the protector had received, on account of her protracted attachment to the royal cause; and a report which prevailed in England, that she supported lord Baltimore against the interests and the wishes of the people; a report which derived credit from the circumstance of Philip Calvert, the governor of Maryland, having found an asylum in Virginia, when expelled from his government, during the insurrection headed by William Clayborne, in 1645.

After the departure of governor Mathews, the powers of government devolved on the president of the council.

The adventurers from New England, who had meditated a removal, and settlement on Hudson river, being disappointed by the late peace with Holland, turned their views towards the southward, and came to cape Fear

river, on the shores of which, they established grazing farms; the country affording, in their judgment, a plentiful winter pasture for cattle. The protector made an unsuccessful attempt to induce these people to settle still more southerly, and increase the population of Jamaica, lately added to the dominions of England.

But, the lands affording no encouragement to agriculture, and the settlers not finding the convenience of a fishery, to which they had been accustomed in New England, they soon grew tired of their new abode: they imprudently neglected to secure the good will of the Indians. The settlement did not thrive; and, although it afterwards received some aid from the legislature of Massachusetts, it subsisted but a few years.

Cromwell granted, under the great seal of England, to Charles St. Etienne, William Crown, and Thomas Temple, for ever, the territory called Acadia, and part of the country, commonly called Nova Scotia, extending along the coast of Pentagoet, to the river St. George; it was erected into a province independent of New England, and the grantees were appointed as hereditary governors.

An insurrection was raised in Maryland, by Fendal, a man of a restless disposition. It greatly distressed the province.

During the government of the commonwealth, in order to punish the inhabitants of Barbadoes, for their attachment to Charles I. and for resisting its force and authorities, in 1651, and also to distress the Dutch, who carried on a lucrative trade with the colony, the parliament resolved to alter the whole system of commerce of Barbadoes, by prohibiting all foreign ships from trading with the English plantations, and not suf-

fering any goods to be imported into England, but in English bottoms, or in ships of the European nations, of which the merchandise imported was the genuine produce and manufacture.

The affairs of Maryland continuing in a distracted state, the government of that province was surrendered, by the commissioners of the protector, to Fendal, who had been appointed governor by the proprietor.

Under the government of administrators, appointed by the protector, the colony of Virginia enjoyed, during seven years, an uninterrupted repose and tranquility. It afforded shelter to a number of partizans of the royal cause, who imagined it unsafe to stay in England. Sir William Berkely, (the last of the royal governors) had been allowed to remain unmolested on his estate. His mild and upright administration, his honest and candid conduct, during the late struggle of the royal cause, and his retired, and general life since, had rendered him the idol of the friends of the king, without rendering him suspicious to the republicans; and governor Mathews dying, in the year 1659, Sir William was requested to re-assume the reins of government. This he declined to do, unless he was permitted to act under the commission he had received from his exiled sovereign. His offer being accepted, he caused Charles II. to be proclaimed king of Virginia; and one of the first acts of his administration was to issue writs of election for the legislature to meet on the 12th of March, 1660; but he was afterwards induced to prorogue it, and in the latter part of the summer, accounts reached the province, that his example had been followed by the metropolis, and that the sovereign, to whose obedience the Virginians had returned, had been proclaimed in England, on the 29th

of May, and had made his public entry in the city of London, on the 9th of June.

Although, under the commonwealth, the English colonies in America, acquired considerable population and wealth, the island of Jamaica, is the only addition made to their number, during that period.

The legislature of Virginia, having passed laws unfavorable to the Quakers, a number of whom had fled thither, from the persecuting spirit of New England, many families sought an asylum on Albemarle sound.

Smith—Stith—Beverly—Keith—Marshall.

CHAPTER VII.

At the first session of parliament, after the restoration of Charles II. to the throne of England, was passed a statute, famous in the English annals, and particularly affecting the American provinces. It is the 12 Charles II. c. 18, commonly called the navigation act.

Its bases are those of the statute of 1657: it forbids the importation and exportation of any commodity into or from any of the king's dominions in Asia, Africa or America, except in vessels built in England or its plantations, of which the master and three fourths of the crew must be English subjects, under pain of forfeiting the ship and cargo. Aliens are forbidden to exercise the occupation of a merchant or factor, in any of these places, under the penalty of forfeiting their goods and chattels: sugar, tobacco, cotton, wool, indigo, ginger and dyewood, of the growth or manufacture of the English colonies, are forbidden to be exported to any country but England, Ireland, Wales or Berwick upon Tweed; and, as some return for these restrictions, the act secures to the colonies the monopoly of the tobacco trade, by prohibiting the planting of it in England, Ireland, Wales, Jersey, Guernsey and Berwick upon Tweed.

While parliament thus early attended to the affairs of the colonies, the king lost no time in forwarding instructions to governor Berkely: he required him to call an assembly as early as possible, and to demand, in his name, a repeal of all acts, passed during the rebellion, that derogated from the dependence and obedience of the colony on and to the king and parliament of England; authorizing him to give assurance of the royal intention, and this being done, to grant a general pardon and oblivion, without any other exception than that of persons attainted by act of parliament.

Governor Berkely was at the same time required to send over a statement of every shipment of tobacco from his province, in order that evasions of the navigation act might be detected and punished. The establishment of iron works, in the colonies, does not appear at that time to have been considered as injurious to the mother country; for it appears that the governor was consulted on the practicability of erecting one, at the expense of the king.

The legislature met at Jamestown on the 12th of March, 1661. The speech from the chair, and the answer to it, proclaimed and echoed unqualified professions of loyalty. A legislative revisal of all the colonial statutes was the earliest and chief work of this session: in the preamble, the intention is avowed of repealing and expunging all unnecessary acts, but more particularly "such as might keep in memory their forced deviation from his majesty's obedience." The most of that body, who used these expressions, were persons who, till a very

short time before, had been lavish of the most fulsome assurances of unbounded attachment, and the most respectful submission, to the protector, and of their intended support of the republican government. Their present declarations might be held up, when contrasted with their former professions, as an example of the facility with which the sentiments of mankind accommodate themselves to circumstances, if a late event in France had not afforded a more prominent one.

The law of England, which had till now by implied consent been considered as the rule of action in the colony, was now expressly declared to be in full force, except in such cases only, in which local circumstances rendered them inapplicable.

A charter granted by parliament, during the protectorate, to the society for spreading the gospel among the Indians on the continent of North America, being vacated by the restoration, colonel Beddingfield, a Roman Catholic officer in the king's army, of whom a considerable part of the land had been purchased, seized it for his own use, pretending he had sold it below its value, in hopes to recover it, upon the king's return. In order to defeat his design, the society solicited a new charter, which they obtained by the interest of the lord chancellor: it bears date the 7th of February, in the fourteenth year of the king's reign, and differs but little from the former one. Robert Boyle was their first governor: they afterwards recovered colonel Beddingfield's land.

The colony of Massachusetts was not so early as that of Virginia, in returning to the king's obe-

dience: even after official accounts had reached Boston, of his restoration, the people continued unwilling to recognize his authority. However, in the course of this year, the governor called the general court, and the form of a proclamation was agreed upon, by which Charles was acknowledged as their sovereign, and proclaimed as "the lawful king of Great Britain, France and Ireland, and all other countries thereunto belonging." From an order published by the court before the proclamation, "forbidding all disorderly behavior on the occasion, and declaring that no persons might expect indulgence for the breach of any law," and forbidding in a particular manner "that any man should presume to drink his majesty's health, which he had in a special manner forbid," it would seem, that the people of New England were less loyal or less versatile, than those of Virginia; at all events, that there were many among them who, far from being ready to shape their conduct and alter their professions with the circumstances, were too much attached to their principles, tamely to allow the noisy exultations of the successful party, and that they were a sufficiently numerous and respectable body to command some respect for their feelings.

In the following year, the people of Connecticut obtained from the crown a charter, vesting them with such ample privileges, that more than a century after, when they declared themselves independent, it was thought quite unnecessary to establish the rights of the people on a firmer basis; and time has not yet shown that necessity. This instrument bears date the 20th of April, 1662.

The authority of lord Baltimore, over the province of Maryland, being re-established by the restoration, he sent over Charles Calvert, his eldest son, to govern it. This gentleman met with no difficulty in assuming the reins of government. The first legislature, after his arrival, passed an act for coining money: it was enacted, that it should be of as good silver as English sterling; that every shilling, and so in proportion for other pieces, should weigh at least nine pence in such silver, and that the proprietor should accept of it in payment of his rent and other debts. This law and that of Massachusetts, in 1652, are the only ones of the kind that are to be found among the legislative acts of the English American colonies before the revolution. The plantations of this province were now extended as far as cape Henlopen, from which the Dutch had lately retired.

The legislature of Virginia met in the month of March. The principal object, attained by the governor at this session, was the establishment of the church of England, by legislative authority, in the colony; an object which the king, in his instructions, had strongly recommended. Provision was made for building churches, laying out glebes, and the appointment of vestries; power was given to the governor to induct ministers already ordained, and all others were forbidden to preach.

Father Feijoo, in his *Theatro Critico*, has recorded the tremendous effects of an earthquake, which was in 1663 felt in Canada and almost every part of the northern continent; in a space of twelve hundred miles, several mountains shook one against

the other; some were torn from their seats and precipitated into the river St. Lawrence; others sunk in deep crevasses, which were made in several places. A very large and rocky one, occupying upwards of two miles, sunk, leaving in its place a wide and extensive plain: lakes were formed on the spot where high and inaccessible mountains had hitherto stood.

Sir Robert Heath's grant of land, to the southward of Virginia, perhaps the most extensive possession ever owned by an individual, remained for a long time almost absolutely waste and uncultivated. This vast extent of territory occupied all the country between the 30th and 36th degrees of northern latitude, which embraces the present states of North and South Carolina, Georgia, Tennessee, Mississippi. and, with very little exceptions, the whole state of Louisiana and the territory of East and West Florida, a considerable part of the state of Missouri, the Mexican provinces of Texas, Chihuahua, &c. The grantee had taken possession of the country soon after he had obtained his title, which he afterwards had conveyed to the earl of Arundel. Henry lord Maltravers appears to have obtained some aid from the province of Virginia in 1639, at the desire of Charles I., for the settlement of Carolana, and the country had since become the property of a Dr. Cox; yet, at this time, there were two points only in which incipient English settlements could be discerned; the one on the northern shore of Albemarle sound and the streams that flow into it. The population of it was very thin, and the greatest portion of it was on the

north-east bank of Chowan river. The settlers had come from that part of Virginia now known as the county of Nansemond, which, it has been observed, began to be occupied by the whites as early as the year 1609: they had been joined by a number of Quakers and other sectaries, whom the spirit of intolerance had driven from New England, and some emigrants from Bermudas. Their number, though not great, must have been far from insignificant; for, besides the culture of corn and other grain, necessary to life and the raising of cattle, they made a considerable quantity of tobacco for exportation; a circumstance, which must be presumed from the attempt of the legislature of Virginia, this year, to procure the union of Maryland and Virginia, in a plan then under consideration, on the subject of tobacco, their staple commodity, which, owing to the glut of the markets and its deteriorated quality, had fallen so low in value, as scarcely to furnish clothing for the colonists. The other settlement of the English was at the mouth of Cape Fear river: we have seen that those who composed it, had come thither from New England, in 1659. Their attention was confined to rearing cattle.

It cannot now be ascertained, whether the assignees of Carolana ever surrendered the charter under which it was held, nor whether it was considered as having become vacated or obsolete by non user, or any other means; but, on the 15th of March, the king granted to Edward, earl of Clarendon, George, duke of Albemarle, William, earl of Craven, John, lord Berkely, Anthony, lord Ashley,

Sir George Carteret, Sir John Colleton and Sir William Berkely, the country to the south of the thirty-sixth degree of northern latitude, as far as a line running due west from the river St. Matheo, from sea to sea, in absolute property for ever. The territory was erected into a province, by the name of Carolina, of which the grantees were created lords proprietors, with ample powers to settle the province, and establish a form of government under them.

As soon as the charter issued, the duke of Norfolk and Sir Richard Greenfield's heirs, started a title to the country granted, in the fifth year of Charles I, to Sir Richard Heath; but the king, in council, declared the charter of Sir Robert Heath null and void, and ordered the attorney-general to avoid it, by a writ of quo warranto.

The principal nations of Indians, which occupied the country thus granted, on the eastern side of the Mississippi, were the Tuscaroras and the Creeks, on the sea shore; the Catawbias, Cherokees, the Chickasaws and the Choctaws, in the middle part, and the Natchez, on the Mississippi. Allied to some of these nations, were a considerable number of tribes; the independence of each tribe was marked by its peculiar language, but each, besides its own, spoke that of the allied nation. These tribes were composed of sedentary individuals, or rather were a collection of families, who found their chief support in the waters of the stream on which they dwelt, or from the chase, in some distant spot, secluded from the others by marshes and water courses. Within the country, included by the present limits of the state of which the history is here attempted, the Pasquotanks, Tuteloës, Meherrins, Wopomeaks and Chowanocks, on

the north; the Hatteras, Coramines, Pamplicoës, Mat-tamuskeets, and Croatans, on the east, the Saras, Neuses, Saponas and Sippahaws, on the south, were the principal tribes. They had large towns, inclosed with huge pallisadoes, and sent several hundred, and some several thousand, warriors to the field; others, less stationary and numerous, depended for subsistence on the chase, and wandered about, in search of advantageous hunting grounds. The more peaceful, were sometimes disturbed by irruptions from the warlike nations, that dwelt on the northern lakes, even as far as the Simmagons, who dwelt in Canada, and who, while their country was covered with snow, came southerly to prey on the occupants of a softer climate. The Indians from the west side of the Appalachian mountains, even those of the shores of the Mississippi, at times, joined these northern invaders, and the country exhibited in miniature the spectacle which Europe and Asia has witnessed, in the irruptions of the Hunns, the Goths and the Vandals, on the Gauls and the Germans, and the Tartar on the Chinese.

The lords proprietors, having obtained a declaration of the privy council, that considering the present condition of Carolina, all former grants were void, held their first meeting in the month of May, in order to devise measures for the planting of their colony; they formed a joint stock for the transportation of some colonists, and issued proposals for the encouragement of others; among other privileges, the proprietors offered, that the emigrants, if in sufficient number, might offer thirteen persons, out of which, a governor and a council of six, should be appointed for three years; that a grand assembly, composed of the governor, the council, and dele-

gates of freemen, should be called, as soon as the circumstances of the colony would allow, with power to make laws, not contrary to those of England, and liable to be repealed by the proprietors; that every one should enjoy the most perfect freedom; that during five years, every new settler should be allowed one hundred acres of land, and fifty for every servant introduced by him into the colony, paying one half penny only an acre; and that the same freedom from customs, which had been allowed by the royal charter, should be allowed to every one. The province was divided into two counties, the river of Cape Fear being their internal boundary; the northern was called Albemarle, and the southern Clarendon, in honor of two of the proprietors. Sir William Berkeley, governor of Virginia, who was also one of the proprietors and was then in his government, was desired to visit the settlement in the county of Albemarle, and establish in it a form of government suitable to its situation. His instructions are dated September 8, 1663; he was authorized to constitute one or two governors and councils, and other officers, the proprietors reserving to themselves only the appointment of a surveyor and secretary.

A copy was sent him of the proposals of the proprietors, to all that would settle themselves on Cape Fear river, prepared, on the receipt of a paper from persons who desired to settle there, the terms of which were said to be as low as it was possible for the proprietors to descend. These proposals, governor Berkeley was informed, were not intended for the meridian of Albemarle county, where it was hoped to find more facile people, who, by his interest, might settle on better terms for the proprietors. The terms there were left to

his management, and an opinion was expressed, that as much land as possible should be granted, rather than deter any settler.

The proprietors stated the information which they had received, that the people, settled in the neighborhood of Chowan river, had bought great tracts of land from the Indians, which it was deemed improper to allow them wholly to retain: as they would probably keep such land in their hands, and so occasion a great distance between the settlements, and destroy or weaken the means of mutual assistance in time of danger; and if they yielded a part of their lands to purchasers, it would likely be on such hard terms as would deter new settlers. Governor Berkely was therefore instructed, to persuade or compel such persons to be satisfied, with such portions, as were allotted to others.

He was authorized to establish two governments, that is, one on each side of Chowan river, from a belief, that individuals, anxious for liberty of conscience, might desire a governor of their own proposing, which those on the opposite side of the river might dislike.

Lastly, he was instructed to procure a vessel, of a small draught of water, to search for an inlet into the sound, through which great ships might come in; and to obtain some account of Charles river.

Several gentlemen of the island of Barbadoes, being dissatisfied with their condition there, and having seen the proposals of the lords proprietors, despatched a vessel to reconnoitre the country, along Cape Fear or Clarendon river, early in the month of September.

Anthony Long, William Hilton, and Peter Fabiau, were intrusted with this expedition; the journal, which they published on their return, is believed to be the

earliest account of Cape Fear river, that ever appeared in print.

On the 29th of September, they reached the continent, in thirty-two degrees twenty minutes of north latitude, and ranged the coast as far as thirty-three degrees eleven minutes, without finding any entrance for their ship to the northward of the thirty-second degree. On the 3d of October, they were overtaken by a violent storm, the wind between north and east; it continued for several days, so that the ship was forced to a considerable distance off the shore, and driven by the rapidity of a strong current to cape Hatteras; on the twelfth, they came to an anchor in seven fathoms of water, and taking the meridian altitude, they found themselves in thirty-three degrees forty-three minutes. The badness of the weather detained them until the sixteenth, when they sailed about fifteen miles, and came to anchor in seven fathoms of water. Several Indians came on board, bringing a large quantity of fish, large mullet, young bass and shad; on the twenty-fourth, they sailed up the river for about twelve miles farther, and rowed up the next day nearly the same distance, where they moored the ship. On the twenty-sixth, they went in the yawl to Necoes, an Indian town; they continued sailing up the river for about ninety miles, and finding the passage much obstructed by fallen trees, and their provisions nearly spent, after viewing the land around them, they reached the ship on the second of November; on the fourth, they went fourteen or fifteen miles up the river, in search of the north-west branch of it, which they called Swampy branch; they sailed on it to the distance of fifteen miles, and returned. On the sixth, they sailed up another branch of the main river,

the mouth of which was near the place where the ship rode ; they called it Green's river, and sailing up to the distance of fifteen miles, they found it divided into two inconsiderable branches ; the land was generally full of marshes and swamps. On their return to the ship, they took a supply of provisions, and sailed up the main river again ; on the fourth day, they came to a place, where the river was narrowed by two islands in the middle of it ; it was there so crooked and so much obstructed by fallen trees, that they were compelled to proceed on land along the river three or four miles, and found it widening more and more ; they then returned ; the course of the river, as far as they could see, was straight, and its direction towards the north-east ; they judged themselves at the distance of one hundred and fifty miles from the mouth of the river ; the land on both shores appeared rich, very level, and covered with tall grass ; the banks were steep, and in some places very high ; the woods were full of deer, conies, turkeys, partridges, cranes, ducks, teals, pigeons and paroquets. The timber consisted chiefly of oak, some of which were from twelve to eighteen feet, and even twenty-four feet high, below the first limbs ; large cypress were abundant ; walnut, birch, beech, maple, ash, bay, willow, elder and holly, were found in the upper part of the country, and in the lower innumerable pines, tall and fit for masts and boards, for the most part in barren and sandy soil, but in some places up the river, in good ground, mixed among the oak and other timber, mulberry trees and grape vines were found in quantity. On the north-west side of the river, they viewed a large tract, extending to the distance of several miles, without any trees, except a few scattered oak : it was covered

with luxuriant grass, which rose to the height of a man's waist, and in many places to that of his shoulder ; it abounded in deer and turkeys ; they named it stag park. Proceeding downwards, they came to another remarkable place, on the same side as the former, which it appeared to join ; the uncommon circumstance, of its abounding with rock, stone, and pebbles, induced the adventurers to give it the name of Rocky Point, an appellation which it, at this day, still retains ; they judged the distance from this spot to the mouth of the river to be about seventy-five miles. On the twenty-third, they came to a place on the same side of the river, about six miles lower, which from the great quantity of wild turkeys they saw about it, they called Turkey Quarters. The land along the river was high and rich, but at the distance of two miles from the shore sandy and barren, bearing only pine trees. Going down the river, they stopped, after rowing eight or nine miles, on a rich tract, covered with valuable timber ; the bank of the river being high and steep, they named the place Highland Point. As they proceeded downwards, the country appeared full of meadows, and still farther on the banks of the river, were large marshes, on the back of which were some good pasture land, but generally sandy barrens, covered with innumerable pines. They reached the ship on the seventeenth, and spent a few days in viewing the land around, on both sides of the river : it was for the most part poor.

On the twentieth, they weighed anchor, and proceeded downwards about six miles, and came to anchor opposite to a river, which, after one of the adventurers, was named Hilton river ; the land on both shores resembled much that on Green river. On the twenty-

third, they sailed up in the long boat, to the distance of nine miles, and found that the latter river joined the one they were in; sailing higher up, the stream forked, and they took the branch to the larboard, and sailing up eight miles farther, found themselves in Green river again. They did not proceed higher up than about eight miles, when judging themselves at the distance of fifty-four miles west by north from the ship, they returned. As they were rowing down, four Indians came to them in a canoe, and having sold them a few baskets of acorns, returned to the shore; one of them, following the boat along the shore for two or three miles, stopped on the top of a high bank, and as the Englishmen rowed under it, shot an arrow, which grazing the shoulder of one of them, stuck in the upper edge of the boat, but was broke to pieces, the head remaining fast. They immediately rowed to the shore, and leaving four men to keep the boat, the rest ran up the bank, in quest of the Indian. They were some time without hearing or seeing any body; at last, they heard several voices singing at a distance in the woods, which they took for a challenge. As they were advancing, they were called back to their boat, by the report of two muskets. The men, under whose care it was left, had fired on an Indian, whom they had seen creeping along the bank, with apparently hostile intentions. They had, however, missed him, and he had sought his safety in flight. While an account was giving of this circumstance, two Indians approached, hollowing bonny, bonny; they had bows and arrows, which they willingly exchanged for a few beads. The head of the arrow, which still remained fast in the boat, was pointed out to them; they manifested great concern, and disowned any knowledge of the accident;

they soon after went away, and the English marked a tree on the top of the bank, and named the place Mount Strong. The banks of the river were of clay, and in some part of marl, and the land was not inferior to that on the other river. They judged the one they were in came from higher up in the country, from the greater rapidity of the current, and the quantity of drift wood carried down the stream. On their way to the ship, they saw several spots of ground cleared by the Indians, and planted with corn; the trees stood up, being only barked around in the lower extremity, so as to kill them. The corn stalks, notwithstanding the fields were much shadowed by the timber, were very tall. Proceeding still downwards, they reached another Indian plantation, on which they landed, and were hospitably received; after purchasing acorns and corn, they went on, and having proceeded about six miles, they perceived an Indian, peeping over a high bank; they presented a musket at him, calling out *skerry*; whereupon, a number of Indians made their appearance, crying out *bonny*, *bonny*, and making signs of friendship; they ran downwards along the shore, before the boat, endeavoring to persuade the white people to land; these, however, kept their guns presented, crying out *skerry*: The natives, perceiving their attempts to induce the whites to approach the shore unavailing, two of them got into a large canoe and advanced towards the boat, one of them paddling with a large cane, and the other with his hands; they with difficulty reached the boat, and laid hold of her fenders and clewing, and at last succeeded in persuading the persons on board to come ashore. The adventurers were met, on their landing, by a party of near forty lusty Indians, who came running on, crying *bonny*.

The head of the arrow was pointed out to them, on the side of the boat ; one of them made a long speech, and threw beads into her, in token of friendship, and gave the white people to understand, that when he heard of the insult they had received, he had felt great grief, and shed tears, and had come with his people to make peace with them ; that if they could discover the offender, they would tie his hands and cut off his head ; and as a testimonial of their love and good will to the adventurers, two tall and handsome young Indian women were presented to them : they appeared to be the chief's daughters, or persons of high rank in the nation, manifested no reluctance at their being thus tendered as a peace offering, and very willingly entered the boat. Valuable as this gift was, the time at which, and the number of persons to whom, it was made, imperiously required the return of it to the donors ; one of them with difficulty consented to leave the boat ; at last, they were both dismissed, with a small present of beads. A few hatchets were presented to the chief, and such of the Indians whose appearances pointed them out as standing next in rank ; and they departed, after promising to come down and visit the whites, on board of their ship.

The adventurers named this spot Mount Bonny, in token of the peace thus concluded, and reached the ship on the twenty-sixth.

On the next day, they weighed anchor and came down to an island (Cram island,) within twelve miles from the sea, and on the first day of December, the Indians came on board, according to promise ; they were in great number ; and at this meeting, Wat Coosa, their king, and his chieftains, sold to the adventurers the river and land of Cape Fear.

They went to view the land about the cape; it appeared quite sandy and barren, some low and shrubby trees scattered in many places, grass and rushes growing in others, but the most covered with clear sand. There were some cattle, left by the people from New England, in the care of the Indians, to be fattened: the spot appeared much fitter to starve them. Yet the Indians, dwelling around the cape, did not allow these animals to go higher up to better pasture grounds, lest the reward they received from the owners of the cattle, should be shared by other Indians. On a high post, on the sea shore, was nailed a writing, describing the land on the river as miserably poor: it had been placed there by the people from New England: another, more correctly descriptive, was substituted.

The colony from Massachusetts was settled on Charles river, that is, the stream now called Oldtown Creek. They had settled in 1660, and deserted their habitations in 1663.

The Indians brought several times, to the ship, good and fat beef, and some swine, with very good salt, which they said was obtained in the country.

The ship sailed for Barbadoes on the fourth of December, and on the sixth of February anchored in Carlisle bay.

Pleased with the accounts which they received, the persons at whose charge the ship had been sent, determined to remove to Cape Fear, and according to the proposals of the lords proprietors, the names of thirteen persons were forwarded them, out of which they were requested to choose a governor and council.

In the fall, governor Berkely, at the request of the lords proprietors, visited the county of Albemarle, and

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appointed George Drummond, a man of prudence and fidelity, governor of it. He sent commissions to other gentlemen, to fill the offices of assistants or counsellors, judges and justices of the peace, and departed, after having taken measures for the proper administration of a provisional government.

This year was granted by the king, the charter of the province of Rhode Island and the Providence Plantations. It differed but little from that of the province of Connecticut, and like it, was thought, after the declaration of independence, so completely to define and protect the rights of the people, as to render it useless to frame a constitution.

On the twelfth of March, 1664, the duke of York obtained from his brother a patent for various and extensive tracts of land, covering the country now known as the states of New York, New Jersey, Pennsylvania and Delaware; and on the twelfth of June, he conveyed to John Berkely, baron of Stratton, and Sir George Carteret, of Saltrenn, in Dover, two of the proprietors of the province of Carolina, a portion of this vast territory, which was erected into a province, by the name of New-Jersey, in honor of Sir George, whose family came from the island of Jersey. Three inhabitants of Long Island removed this year into the new province, to the spot, on which the first town of New Jersey was built, and in compliment to Sir George's lady, it was called Elizabethtown.

In the summer, commodore Nichols, with four frigates and three hundred soldiers, sailed from England for the reduction of New Netherlands. On their anchoring before the fort, Stuyvesant, the Dutch governor, sent a letter on board, to require some notice of Nichols'

intention, and was answered by a summons to surrender. He at first determined on a defence, but soon after, considering his unequal force, offered to treat. On the twenty-seventh of August, a capitulation was signed, by which the fort and town of New Amsterdam were surrendered to the English. The town now, in honor to the Duke of York, changed its name to that of New-York. On the twenty-fourth of September, Fort Orange capitulated also, and the town near it was called Albany, the Scotch title of the duke. On the first of October, the Dutch settlements on the Delaware were taken possession of by the English. Thus were the Dutch driven away from New Netherlands, which they had occupied for about half of a century, and the southern English provinces of Maryland and Virginia, now connected, by an uninterrupted chain of English possessions, to the northernmost part of the English empire in America.

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Chalmers—Lawson—Archdale.

CHAPTER VIII.

The English in 1664 took the island of St. Lucia, from the French. They were assisted by six hundred Charibee Indians, in seventeen canoes. Two years after, the colony, reduced by epidemical diseases, to eighty-nine individuals, burnt their fort, and abandoned the island.

In the next year, surmising some lands beyond the southern boundary of their province, to be of considerable importance, they solicited from the king, a second charter, which might include them. It was obtained without difficulty. The date of it, is the 13th of June, 1665.

This instrument grants to them, their heirs and assigns, the province of Carolina, within the king's dominions, in America, extending north-eastward, as far as the north end of the Currituck river or inlet, on a straight westerly line, to Wyonoak creek, which lies within, or about, thirty-six degrees and thirty minutes, north latitude, and so west, in a direct line to the South sea; and south and westward, as far as the 29th degree inclusive, and so westward, in a direct line to the South sea.

It invests them with the power of building churches, chapels and oratories, to be dedicated and consecrated,

according to the ecclesiastical law of England, and gives them the right of advowson and patronage.

It creates the grantees, their heirs and assigns, lords proprietors of the province, to be holden in free and common socage, as of the king's manor of Greewich in Kent, reserving to the crown one fourth part of the gold and silver ore, that may be found within the province, and authorizes them to erect and establish counties, baronies and colonies, cities, towns and manors; to enact constitutions and laws, with the consent of the freemen; imposing penalties, inflicting punishments extending even to the deprivation of any member or life, to grant pardons and reprieves, establish courts of justice, and appoint officers of them. The laws, however, are required to be consonant to reason, and, as much as may be, conformable to those of England.

A temporary power is given to the lords proprietors, to make ordinances, for the preservation of the peace, until the legislative body may be convened.

The king grants license, to any of his subjects, to remove to Carolina, declares such as do, and their children born there, British subjects, allowing them freedom of commerce with England, Ireland, and Scotland, and to export their commodities there and even to foreign ports, paying the accustomed duties; to import into any of the king's dominions, silks, wines, raisins, capers, wax, oil and olives, during the term of seven years, and to export farming utensils free from any duty.

Power is given to the grantees of erecting ports, and levying duties and customs; to confer titles of honor; but it is provided, that such titles shall be differ-

ent from those used in England; the right of erecting fortifications, of levying troops, of mustering and training the inhabitants to arms, to make war by sea and land, and exercise martial law in cases of necessity, is also granted to them.

The province is declared a distinct government, mediately dependent on the crown. The inhabitants are released from any obligation of conformity to the church of England, or taking any test oath, and a free toleration, in religious matters, is granted.

The lords proprietors now made constant, although not very successful, efforts to induce individuals of all ranks, to migrate to their province. For this purpose, they appointed agents in Ireland, Scotland, and the colonies in the West Indies, on the continent, and in the island of Bermudas. A number of people left that island, and settled on Pasquotank river, where they applied themselves chiefly to ship building. The few planters, who had settled on the shore of Chowan river, were now joined by emigrants from New England.

The lords proprietors made choice of John Yeamans, among the persons proposed by the planters of Barbadoes, who intended to remove to the county of Clarendon, and appointed him governor of it. This gentleman, being then in England, was knighted on the occasion, and the king made the colony a present of twelve pieces of ordnance, and some warlike stores.

In the latter part of the year, Sir John Yeamans led from Barbadoes a body of emigrants, and began a settlement on the southern shore of Cape Fear river: he laid out a town, which, in honor of the king, he called Charleston. The spot, which was thus dignified, is not at this day to be determined. Lawson, in his map of

Carolina, has preserved the name of Charleston, and it is imagined, from the place it occupies on this map, that the town stood not far from, if not upon, a stream, now in the county of Brunswick, called Oldtown creek; perhaps at the confluence of it and the river,

Governor Yeamans was more successful than the people of New England, who had preceded him thither, in cultivating the good will of the Indians, from whom his colonists derived considerable assistance in clearing and planting the land. The vessels, that had brought the adventurers, were, in a short time, loaded with lumber, and soon returned to fetch new adventurers, and a farther supply of provisions; thus an advantageous commerce was established, between the county of Clarendon and the island, which had spared it its first inhabitants. The favorable reports, which the islanders received from their friends on the continent, induced new adventurers to follow the first. The merchants, induced by the profits which the first expedition had given, made frequent shipments, and the success of the lords proprietors' agents, in that island, in procuring colonists, was so great, that the legislature of Barbadoes interposed its authority, and forbade, under severe penalties, *the spiriting people off the island*.

The emigrants from Barbadoes had purchased from the Indians, a tract of land thirty-two miles square, for which they now solicited a grant from the lords proprietors, with a charter of incorporation. Although this was refused, they obtained liberal grants of land, and every other reasonable indulgence. A county was then established, which was called Clarendon.

The lords proprietors, desirous of obtaining a more accurate knowledge of their province, fitted out a ship

and sent William Sayle, to explore the coast of Carolina. On his way, Sayle was driven, in a storm, on St. Salvador, one of the Bahama islands, and the one on which Christopher Columbus first landed in America. He staid some time on this island, to refit his ship, and visited the neighboring one; and next proceeded to Carolina, and surveyed the coast, entering the rivers and making astronomical observations, in various points.

On his return, the lords proprietors were, from his account, induced to solicit a grant of the Bahama islands, and the king gave them a patent, for all those islands between the twenty-second and twenty-fourth degrees of north latitude.

The year 1667, is remarkable for the pacification of Breda. By the treaty of peace with the Dutch, New Netherlands was confirmed to the English, and Surinam, which had lately been taken from the Dutch, was ceded to them in return, the English planters in Surinam, principally removing to Jamaica. Their number at the time of this evacuation, amounted to about fifteen hundred, besides their families.

Legislative countenance was this year, for the first time, given to the transportation of malefactors to America. By the 18 Charles II. c. 3, power was given to judges of assizes, commissioners of oyer and terminer and general jail delivery, to order persons convicted of theft and rapine, on the northern borders of England, to be transported into any of the king's dominions, in America.

In October, governor Drummond was succeeded by Samuel Stephens, who was authorized to grant land, with the concurrence of the council, returning to the lords proprietors one half of the gold and silver ore. A constitution was given, at the same time, to the

colony of Albemarle. The governor was to act with the advice of a council of twelve, the one half of whom he was authorised to appoint, the other half was to be chosen by the assembly. The assembly was composed of the governor, the council, and twelve delegates, chosen by the freeholders. Governor Stephens' commission bears date in October, 1667.

The first legislature met in this year, or early in the next; Chalmers says, in 1669; but their meeting is mentioned in an authentic instrument of the lords proprietors of the first of May, 1668. The laws enacted exhibit strong evidence of the temper, manners and opinions of the colonists. To induce migration, an asylum was offered to dishonest debtors; and suits, for any debt created out of the country, were prohibited for five years; the acceptance of any power of attorney, to demand the payment of them, was forbidden; and with a view to promote population by some more natural means, it was provided, that "as people might wish to marry, and there being no minister in the settlement, that none might be hindered from so necessary a work, for the preservation of mankind, any man and woman, carrying before the governor, or any member of the council, a few of their neighbors, and declaring their mutual consent, were to be declared man and wife." A limited exemption from taxes was granted to new settlers; and dealers from abroad were prohibited from coming into the country, or among the neighboring tribes, to traffic with the Indians. With a view to retain adventurers, the right to a certain quantity of land, which was acquired by migration, was declared not to be the subject of conveyance, till the transferee had remained two years in the country. A tax of thirty pounds of tobacco, on every

law suit, was laid, as a provision for the payment of the expenses of the governor and council, during the session of the legislature.

These laws were transmitted for, and received the approbation of the lords proprietors ; for it seems they had reserved to themselves a veto, on the laws of the province; they remained in force upwards of one half of a century, and were confirmed in the year 1715, and are the six first chapters among the acts of the session of that year.

The assembly transmitted a petition to the lords proprietors, in order to obtain, that the inhabitants of the county of Albemarle might hold their lands, upon the same tenure as the inhabitants of Virginia held theirs ; and on the 1st of May, 1668, their lordships, by an instrument, called the great deed of grant, directed governor Stephens to grant land to such persons as should come into the colony of Albemarle, to plant and inhabit it, to be holden of their lordships, on the same terms and conditions as lands were, at the time, especially granted in Virginia.

The county was at this period in a very thriving condition ; a considerable quantity of tobacco was raised ; provisions were very abundant ; many of the inhabitants were engaged in ship building ; vessels from the West Indies came to procure lumber ; and a number of traders from New England, visiting the settlement during the winter, ministered to the wants of the people, and carried away whatever they had to spare.

The negotiations for peace, between England and France, which began in 1667, were not concluded till the following year. France yielded to England, all her rights in the island of St. Christopher, together with the

islands of Antigua and Montserrat, and England yielded up Acadia to France, generally, without any specification of limits, and particularly, Pentagoet, St. John, Port Royal, La Haive and cape Sable, lying within it.

Before this, no mention is made, in any treaty between England and Spain, of America. Spain being contented to keep up her ancient claim to that country, and England, careful to keep and improve the footing she had already gained on it, a general treaty of commerce was concluded between England and Spain, relating to the interests of both kingdoms, in Europe and America.

It was stipulated, that Spanish and British vessels, in their respective states, should not be visited by the judges of contraband, nor by any other person whatever. No officer or soldier be put on board till the captain shall have entered his goods, and declared his intention to land. This article was stated as a stipulation, freeing British vessels from the visits of guard a castes. It is evident, it relates only to places, where they might lawfully trade.

Lord Willoughby, governor of Barbadoes, sent forces to St. Vincent and Dominica, and subduing the Caribbea Indians, added these two islands to the dominion of England.

On the 2d of May, 1669, the king granted to prince Rupert, and several lords, knights and merchants associated with him, a charter, incorporating them as "the governor and company of adventurers trading from England to Hudson's bay," and ceding to them the whole trade of the waters within the entrance of Hudson's straits and the adjacent territories.

The lords proprietors, unsatisfied with any system that had been hitherto imagined, for the government of their province, made application to the celebrated John Locke, for the form of a constitution, suited to the situation and temper of the colonists, and yet "agreeable to the monarchy of which Carolina was a part, and which might avoid making too numerous a democracy." This philosopher, endeavoring to carry the intentions of his employers into effect, compiled, and soon after presented for their approbation, a body of fundamental constitutions, which were finally adopted, in the month of July, 1669.

This instrument provides for the election of a palatine from among the lords proprietors, who, presided by this officer, were to constitute a palatine court, entrusted with the exercise of the powers granted to them by this charter. A body of hereditary nobility was to be created, consisting of landgraves and caciques: the former were to be proprietors of at least four baronies, or tracts of land of twelve thousand acres each; the latter of two signories, or tracts of half that quantity of land. Two fifths of the province, laid off into baronies and signories, were to be the portion of the nobility, one third of whom were to be landgraves. The estates of the nobility were to descend, and remain inseparable from the dignity for ever.

The provincial legislative body, dignified with the appellation of parliament, was to be composed of such lords proprietors as might be in the province, and the deputies or proxies of the others, of the landgraves and caciques and of the representatives of the freeholders, chosen in separate districts. These persons were to sit and deliberate together, in the same apartment,

and each individual was to have one vote. The parliament was to be triennial; no proposition was to originate in it, and its deliberations were to be confined to such objects, as were submitted to its consideration by the grand council.

The grand council was to be composed of the lords proprietors, by themselves or proxies, and the land-graves and caciques. It was invested with the executive powers of government.

Various judicatories were instituted, and an infinite number of minute regulations made.

The church of England was alone to be allowed a public maintenance by law, but all others were to be permitted the exercise of their particular modes of worship, and to levy contributions on their own members, for the support of their ministers.

At the end of every century, the laws enacted in the province were to become void, without the formality of a repeal.

These fundamental constitutions, which consisted of one hundred and twenty articles, were declared to be the sacred and unalterable rules of government in Carolina for ever.

It seems to have been a matter of perfect indifference to him who framed, and those who imposed them, whether the people, who were expected to be governed by them, would find them acceptable; nor was it considered, whether they could be compelled to forego for them the form of government, under which they had settled the desert, and in which they might justly deem they had acquired an interest.

The duke of Albemarle was the first palatine; but he did not long enjoy this dignity. At his death, which


happened on the 3d of January, 1670, it passed to John lord Berkely; and the other proprietors were also appointed to high sounding offices, and the framer of the new form of government was rewarded with a land-graveship.

Governor Stephens was directed to organize the government of the county of Albemarle, according to the new order of things. It does not appear, that a similar application was made at the same time to governor Yeamans, of the county of Clarendon. The people of Albemarle did not relish the innovation; great murmurs were excited by, and much opposition made to it: discontents daily increased, and the governor never completely succeeded in carrying his orders into execution. A rumor prevailed in the settlement, which although without foundation, was not on that account of less mischief: an intended dismemberment of the province was spoken of. An other, and more real cause of complaint existed. The colonists had hitherto disposed of such commodities as they could spare, to the people of New-England, who visited them, while the inclemency of the weather shut their own ports. The proprietors now wished to divert the commerce of this province from this channel and turn it towards England. The small quantity of produce for exportation, which was at any time ready for shipping, the difficulty of the navigation, which precluded the use of large vessels, the inconvenience of procuring West India produce, if the trade with Boston was abandoned, offered obstacles to a direct trade with the metropolis, which the lords proprietors overlooked, but which appeared insurmountable to the colonists.

On the 29th of July, 1669, the lords proprietors appointed William Sayle, governor of that part of Carolina which lies south-westwardly of cape Carteret; they fitted out two ships, on board of which the new governor sailed, accompanied by Joseph West, who was entrusted with the commercial affairs of their lordships, who were for some time the only merchants that supplied the wants of the colonists; they employed vessels to carry on a circuitous traffic, for the purpose of procuring colonists, cattle and provisions, from Virginia, Bermuda and Barbadoes, and of carrying off the considerable produce of their colony. About eight hundred new settlers accompanied governor Sayle, who was amply supplied with provisions, arms, and tools for building and agriculture; he landed at Port Royal, in that part of South Carolina now known as Beaufort district, and soon after issued writs for electing delegates to set in parliament. In order to encourage settlers at Port Royal, one hundred and fifty acres were granted to every one, at an easy quit rent: clothes and provisions were distributed from the stores of the lords proprietors, to those who could not provide for themselves: and to secure the good will of the neighboring tribes, considerable presents were made to the Indian chiefs.

A bloody war between the Westoes and the Serannas; two powerful Indian nations in Carolina, was now carried on with fury, and proved fatal to both: an event which paved the way to the introduction and establishment of the English colony.

The treaty of Madrid, for ascertaining the rights of England and Spain, to certain territories in America, was signed on the 18th of July, 1670: by the seventh article of it, it was stipulated that the king of England



should remain in possession of the territory he had before possessed, in the West India islands and on the continent. Prior to this period, nothing is known to have been done to settle the plantations of England in the new world. "The king of England," it is said, "his heirs and successors, shall have, hold, and possess forever, with full right of sovereign dominion, possession and property, all lands, countries, and dominions whatsoever, which said king and his subjects do, at the present hold and possess, so that in regard thereof, or upon any color or pretence, nothing ought or may ever be urged, or any question or controversy moved, concerning the same hereafter." By the eighth article, it was stipulated, that each party should abstain from the ports, harbors, roads, &c. of the other, but provision is made for hospitality in case of distress.

By the clause of *uti possidetis*, in this treaty, the English gained, in their opinion at least, a confirmation of their logwood trade, and possession upon the bay of Campeachy, several Englishmen having, for some years before, employed themselves in cutting wood in that country, and a number of them having formed an establishment for that purpose, in the lagune de terminos, whence considerable shipments were made to Jamaica and New-England.

Parliament this year extended the powers of the courts, to order the transportation of offenders to any of the king's plantations beyond sea, for seven years, to the cases of persons stealing cloth from the rack, or embezzling the king's stores to the value of twenty shillings. It was made felony for them to return before the expiration of their time of exportation. (22. C. 11. ch. 5.)

In the following year, governor Sayle being dissatisfied with the situation he had chosen at Port Royal, re-



moved northerly to a neck of land between Ashley and Cooper rivers. Deputies, sent by the lords proprietors to aid governor Sayle in his administration, arrived soon after, and brought twenty-three articles of instructions, called temporary agrarian laws, intended for the equal division of land among the people, and the plan of a magnificent town, to be laid out, on the neck of land between Ashley and Cooper rivers, to be called, in honor of the king, Charleston.

Governor Sayle falling a victim to the climate, Sir John Yeamans claimed the chief command, as vice palatine, being the only landgrave or nobleman in the province: but the council called Joseph West thereto, till the pleasure of the proprietors was known, and in August (1671) Sir John received a commission, by which he was appointed governor of the southern county. From that period, there remained but two governments in the province; the authority of governor Yeamans was extended to all the settlements in the province, to the south of Cape Fear river. The country having never been accurately surveyed, it was thought more eligible by the planters on Cape Fear and those at Port Royal, to unite in a settlement on Ashley and Cooper rivers, and the foundation of Charleston was laid. The site of the old town formed, in 1805, part of the plantation of Elias L. Horry; no trace of it was, however, to be seen there, excepting a small bottom running directly across the neck, which is imagined to be the remains of a wide ditch, made to protect the town from the incursions of the Indians. The county of Clarendon lost its name, being divided into four, which, in honor of some of the lords proprietors, were named Berkely, Colleton, Craven and Carteret, and the people, who till now had

been under military government, at this time began to have a constitutional legislature.


The county of Albemarle was at the same time divided into three precincts, the eastern was called Carteret, the middle one Berkely, and the western Shaftesbury, in honor of Anthony Ashley Cooper, lately created earl of Shaftsbury.

The following extract of governor Berkely's answer, in June 1671, to enquiries from the committee of the colonies, is a curious specimen of his loyalty: "We have forty-eight parishes, and our ministers are well paid, and by my consent should be better, if they would pray oftener, and preach less; but, as of all other commodities, so of this, the worst are sent us, and we have few that we can boast of, since the persecution in Cromwell's tyranny drove divers worthy men hither. Yet, I thank God, there are no free schools, and no printing, and I hope we shall not have these hundred years: for learning has brought disobedience, heresy, and sects, into the world, and printing has divulged them, and libels, against the best government."

This year is remarkable, by the discovery of the Mississippi, by father Marquette, a recollect friar, from Canada; he entered it through the river Ouisconsing; his first trip was up the river, as high up as the falls of St. Anthony; and in company with Joliet, a Canadian trader, he descended the river as far as the Arkansas. On his return, he established a mission, having gathered some Indians and Canadians, on the bank of the Illinois river, at a place called the Great Rock, about five leagues above the mouth of the river. This is the origin of the district of the Illinois. The settlement growing numerous, the emigrants disagreed between themselves, and a

colony was settled at Cahokia, on the left bank of the Mississippi, about five leagues below the mouth of the Illinois.

In 1672, William Edmundson, an eminent leader among the Quakers, who had lately arrived from England to America, with the celebrated George Fox, was despatched from Maryland, as his precursor to the county of Albemarle. He crossed the wide wilderness, which separates the county of Albemarle from the settlements of Virginia, accompanied by another man only. They first reached the plantation of one Phelps, a person of his society, who had removed with his family from New England to the precinct of Berkely, and dwelt on Perquiman's river: Phelps' family were greatly rejoiced at their interview, not having seen any leader of this society for several years: this happening on the first day of the week, the neighbors were invited to a religious meeting; a number of them attended, but the pious guests lamented that many of the congregation appeared to have so little regard for decency, on such an occasion, as to set down, smoking their pipes, during the silent part of the devotional exercises; yet they had to rejoice, that when Edmundson delivered his testimony, "in the authority of truth," several of them were convinced. This is supposed to have been the first meeting of Friends in Carolina, and there is no evidence that it was not the first religious one of Christians. Edmundson held his next meeting at the house of Francis Jones, one of the council, who dwelt on the opposite side of the river, and who, pleased with the doctrine of his visitors, joined the society. Meetings were held, before the departure of Edmundson, in other parts of the precinct of Berkely, and in that of Carteret,



and a quarterly meeting of discipline was established in Berkely, to which the members of the society in the two other precincts were made amenable. The Quakers justly boast, that they are the first body of Christians, who organized a religious government in Carolina.

The maxims of the Spanish government admitting no competition, about what they looked upon as their property in America, the queen regent of Spain published, on the 22d of June, 1672, a royal schedule, purporting that "such as should make any invasion, or trade without license, in any part of the Indies, should be considered as pirates." This schedule was considered by the Spanish officers in America, as inhibiting the English from cutting wood, on the coast of Campeachy, and they began to confiscate all English ships found with that article on board.

Complaints being made in parliament, that the produce and manufactures, of the king's dominions out of Europe, were allowed to be carried from the places of their production and manufacture, to any other part of his dominions thence, without duty, to the great increase of the trade from one plantation to the other; and the colonists not satisfied with being supplied with those commodities, for their own use, free from duty, while the king's subjects in England, paid a high one therefor, brought great quantities of them to Europe, and sold them to the shipping of other nations, to the great hurt of the revenue, and the trade of England; a statute was passed, enacting, that if any vessel, that might legally trade in the plantations, should come to any of them, and take on board any sugar, tobacco, cotton, indigo, ginger, logwood or cocoa nut, without giving a bond for the landing of such commodities in England, Wales or

Berwick, upon Tweed, a duty should be levied and collected here, in the plantations of the commissioners of customs in England, under the direction of the lord treasurer. Tonnage and poundage duty, had been imposed, and extended to every part of the king's dominions, on his coming to the crown ; but this is the first instance of the imposition of customs, on the colonies alone, to be levied by colonial revenue officers.

On the 28th of May, war was proclaimed in England, against the Dutch.

The causes of this war were stated to be the nonexecution of the treaty of Breda, concluded in 1667, the refusal of the Dutch, to lower their flag before English ships ; the continuance of their fisheries on prohibited coasts ; the publication of injurious falsehoods, and of paintings and medals by order of the States general.

In the spring of the following year, the States general fitted out a small armament, under the orders of commodore Binkes, to destroy the commerce of England and America. After having burnt most of the shipping in Virginia, the commodore hearing of the defenceless situation of New York, determined on improving the opportunity of reducing again that province, to the obedience of the States general. On the 30th of July, he reached Staten island, where he was met by an officer, sent by the commander of the fort, who offered to treat for a surrender, and on that very day the Dutch squadron moved under the fort, landed their troops, and took possession of it, without firing a single gun. The city surrendered at the same time, and shortly after, the whole province was under the domination of the Dutch.

The Spanish commander at the fort of St. Augustine, hearing of some dissention in Sir John Yeamans' government, despatched a small armed party, who advanced to, and took possession of the island of St. Helena, dislodging the settlers. Governor Yeamans sent fifty volunteers, under col. Godfrey, who compelled the Spaniards to evacuate the island.

The people of New Jersey refusing to pay quit rents to the proprietors, an attempt was made to compel them, whereupon they took arms, assumed the government, and compelled Philip Carteret, the proprietors' governor, to return to England.

Charles II. attempted to assume the sovereignty of St. Vincents, and the neighbouring island, St. Lucia Dominica and Tobago; great contention prevailed between England and France, till 1748, when, by the treaty of Aix la Chapelle, they were declared neutral.

The population of the Carribean islands, in the possession of England, being greatly increased, they were formed into two distinct governments; the principal officer of the first was directed to reside at Antigua. Besides this island, he had under him those of St. Kitts, Nevis, Montserrat and the Virgin islands. The principal officer of the other, was directed to reside in the island of Barbadoes; besides this, he presided over the islands of St. Lucia, St. Vincent and Dominica.

Martinico being infested with run away negroes, a treaty was made with Francisgel, a negro of Mr. Falbert's, chief of a band, in which it was stipulated, that he should have his freedom and ten acres of pasture, and that some of his band should be chastised.

A party of Dutch buccaneers, who were settled at Tortola, were driven out by a stronger party, who

called themselves English ; and soon after, Tortola and its dependencies, (the Virgin islands) by a commission granted by Charles II. to Sir William Stapleton, were annexed to the leeward island government. The Dutch had done little towards the cultivation of the island, at the time they were expelled.

Chalmers—Lawson—Archdale—Edwards.

CHAPTER IX.

In the year 1674, governor Yeamans, reduced to a feeble state of health, by the warmth of the climate and his labor for the prosperity of the colony, committed to his care, returned to Barbadoes, where he soon after died. He was succeeded in the government by Joseph West, who, we have seen, was the commercial agent of the lords proprietors. This part of the province had, at this time, its governor and grand council, and the freeholders having now chosen their representatives, the three branches met in parliament, and for the first time legislative acts were passed, which, being afterwards ratified by the lords proprietors, the government was thus organized in this part of Carolina, a little more than five years after the adoption of the constitution proposed by Locke.

About the same time, governor Stephens also died, and the assembly of the county of Albemarle called Cartwright, their speaker, to the chief magistracy "till orders should come from England." The ill humor, which had been excited by the attempt to establish the government modelled by Locke, had not subsided. Governor Stephens had been disappointed in his hopes of executing in this

respect, the orders of the lords proprietors, and the new administration was not more successful.

The lords proprietors sent vines and other useful plants to their province, with persons skilled in the culture of them.

On the 9th of February, a treaty of peace, between England and the States General, was signed at Westminster: by the sixth article, New Netherlands were restored to the English, and Surinam to the Dutch. The duke of York, having obtained a new patent, in order to remove any difficulty, despatched Edmund Andros to receive possession for him. In the month of October, the Dutch troops evacuated the country, and Andros, who was appointed governor for the duke of York, took possession of it, as far as the Delaware.

Philip Carteret, the governor of New Jersey for the proprietors, returned this year, and the people being satisfied with some new arrangements, made in England by the proprietors, submitted to the government.

The year 1675 is remarkable for the commencement of a long and tedious war, commonly called king Philip's war, which during that year, and part of the following, greatly distressed the people of New England, and which did not finish till the death of that chief. Six hundred of the whites were either killed in battle, or murdered by the savages: twelve or thirteen towns, and above six hundred buildings, chiefly dwelling houses, were destroyed. It entailed a tremendous debt on the colonies, while it almost totally destroyed their means of meeting it.

Before this war, the jealousy of the merchants of London, had induced complaints against the people of New England, whose growing commerce began to be viewed with alarm. It was represented at home, that they not only traded to most parts of Europe, but encouraged foreigners to go and traffic with them; that they supplied the other plantations with commodities, which they should receive from England alone; that Boston, having then become the great *entrepot* of the colonies, the navigation of the kingdom was greatly prejudiced, the national revenue impaired, and the people impoverished; that these abuses, at the time that they actually destroyed the trade of England, would leave no sort of dependence of the colonies on the mother country. The governors of the colonies were now charged, strictly to enforce the navigation act, and it was determined that "no Mediterranean pass should be granted to New England, to protect its vessels against the Turks, till it was seen what dependence it would acknowledge on his majesty, or whether his custom house officers would be received, as in the other colonies." This demonstration of the wrath of the parent state, at a moment when the colony smarted under the stings of war, did not depress the spirits of the people of New England. That spirit of resistance, which had begun to manifest itself, continued active, and during the following century vigorously defended, and at the end of that period victoriously asserted, the independence of the people.

While the flames of war were thus raging in the East, a spirit of insurrection awoke in the South.

Nathaniel Bacon, a bold, seditious, and eloquent young man, who had been some time in Virginia, and had already rendered himself remarkable as the fomenter of opposition to governor Berkely, improving the opportunity, which an attack of the Indians on the western settlements presented, offered himself as a leader to the party opposed to Sir William: they chose him for their general, and he headed six hundred of them into Jamestown. With this force, he surrounded the capitol, in which the legislature was in session, and compelled that body to recognize him as the legal commander of the troops under him. He led them out towards the Indians, but on his way was overtaken by a proclamation, issued by the governor after his departure, in which he was denounced as a rebel and a traitor. Roused to indignation, the popular chief marched back to Jamestown. The legislative body was now adjourned, and the aged royal chief, alone and unsupported, deemed it impossible to withstand his opponent, and made a precipitate retreat to the eastern shore, where he called his friends to his aid. Re-animat-ed by the collection of some forces, he advanced with them towards the insurgents. In various skirmishes, each party obtained occasionally some advantage. Bacon's men, exasperated by the opposition, became guilty of those excesses always attending popular commotions: they set fire to Jamestown, laid waste the estates of those who adhered to the governor, and forcibly carried away their women. Forced to retaliate, Sir William ordered court martials to pass on some prisoners he took, and several underwent capital

punishment; the estates of others were confiscated. The two parties were about totally to destroy each other, when Heaven put an end to the dire calamity by the sudden and natural death of Bacon.

When the news of this civil war in Virginia reached England, the ministry thought it prudent to send over troops, to check this incipient spirit of insubordination in America. Sir John Barry was despatched with a small fleet, on board of which was embarked a regiment of infantry. This is the first instance of English troops being sent over to America, to enforce submission to government.

While New England and Virginia were thus distracted by war and internal commotions, the county of Albemarle was far from enjoying perfect tranquillity. The dissensions, which the attempt of governor Stephens to establish Locke's form of government, had excited, were not yet allayed, and the temporary and precarious authority which his successor exercised, had proved insufficient for the restoration of order. In the beginning of this year, finding his administration unlikely to be productive of much credit to himself, or advantage to the lords proprietors, he determined on a voyage to England, to lay before them the state of the country, leaving its affairs "in ill order and worse hands."

The lords proprietors, reflecting how much their former instructions had been neglected, and their designs opposed by those who had been entrusted with their execution, flattered themselves with having found in Eastchurch, a man who would carry their views into effect, and appointed him governor of the county of Albemarle in the month of Novem-

ber. His address and abilities had raised him to the office of speaker of the assembly, and he had lately arrived in England, in order to lay the remonstrances of the people before their lordships. The instructions which were given him at his departure, were calculated to allay the present, and to prevent future disorders. Miller, a man of consideration, was sent with him as secretary and collector of the customs. They took their passage on board of a vessel bound to the West Indies: here, the charms of a creole lady for a while held the governor in bondage. The captive sent his companion to rule the people of Albemarle, till the chain that bound him, proved too weak to hold him, or strong enough to enable him to draw the beauty, who had imposed it.

John Barry and Francis Morrisson, the king's commissioners sent to Virginia after Bacon's rebellion, in their report of that event, complained that the independent plantations of Maryland and Carolina, then very prejudicial, would in time prove utterly destructive, to the royal interest and government in Virginia, and they proposed that with a salvo to the right of the proprietors, the jurisdiction and power of government might so reside in the crown, that they might be obedient to all orders, rules and process of the king and his council; else, he would not only find that he had given a great deal of land, but so many subjects also; and that the next generation would not know nor own the royal power, if the writs, trials, and process be permitted to continue in the name of the proprietors, without any salvo of allegiance to the king: that it

was daily seen, that not only servants, but also run away negroes and rebels, flew to Carolina or the southward, as their common refuge and lurking place; and when some of the late rebels were demanded by letter, they could not have them sent back.

Miller reached the place of his destination in July, and entered on the duties of president of the council, which his friend had conferred on him, without relinquishing those of secretary and collector of the customs, which he had received from the lords proprietors. He found his government to consist of a few inconsiderable plantations, scattered on the north-east side of Albemarle sound, divided into four precincts. The colonists were far from being numerous: the whole population, consisting of all persons from the age of sixteen to that of sixty, amounting only to fourteen hundred polls, one third of whom were women, Indians, servants and negroes. Besides some cattle and Indian corn, eight hundred hogsheads of tobacco constituted the yearly produce of their labor, and the basis of an inconsiderable traffic, carried on chiefly by the people of New England. These men supplying the settlement with the commodities of Europe and the West Indies, and receiving all its produce, influenced in a considerable degree the affairs of the country, and directed the pursuits of the people to their own advantage. From July till December, Miller collected thirty-three hogsheads of tobacco, and a little more than five thousand dollars, for the duty of one penny sterling on every pound of tobacco exported to the other colonies;

almost all that was made, being exported to Boston; whence it was shipped to Europe. The little revenue accruing to the colony, although badly collected, amounted to something more than twelve thousand dollars a year.

The offices of president and collector, which Miller exercised, in the deranged state of the colony, were not calculated to render him popular. It was his misfortune not to possess any quality, by which this disadvantage could be balanced. The discontent of the people, emboldened by the example of the followers of Bacon, in Virginia, and excited by the counsel of some of those who had removed to Albemarle, and some New England men, increasing daily, rose to such a height that it broke into open rebellion in the precinct of Pasquotank; and Culpepper, a man who had come over to the county of Clarendon with governor Sayle, in 1670, as surveyor general of Carolina, and had raised some commotion on Ashley river, placing himself as the head of the malcontents, in the month of December, and securing the favor of the president, and that of some of the lords proprietors' deputies, entirely prostrated the government of the country.

They complained that the president had denied them a free election of an assembly, and had positively cheated the county of 130,000 weight of tobacco, which had raised the levy to 250 lbs of tobacco a head more than it would otherwise have been; besides nearly 20,000 weight of tobacco; a charge which he had brought on the county by his *piping guard*. They stated that a Capt. Gillam had imported a quantity of goods, more than treble that which he had brought in the preceding year, and, about two hours after his landing, was arrested and

held to bail for one thousand pounds, in an action of slander, and so much ill used and abused by the president, that had he not been persuaded by some, he would have gone directly out of the country: and the same night, at about twelve, the president went on board with a pair of pistols, presenting one of them cocked at a Mr. George Dinant's breast, and with the other hand arrested him as a traitor.

The insurgents, possessing themselves of about twelve thousand dollars, which were found in the fiscal chest, successfully employed them in the prosecution of the revolt, in the other three precincts. They appointed officers, established courts of justice, called a parliament, and during two years undisturbedly exercised all the powers of an independent commonwealth.

They published a manifesto, in which they detailed the grievances which, in their opinion, had justified them in suppressing the government of Miller, and assigned as their principal motive in imprisoning him and some of his council, and in possessing themselves of the records of the county, a desire "that the county might have a parliament, that would represent their grievances to the lords proprietors."

Alarmed at the spirit of insubordination and insurrection, which manifested itself so powerfully, in their colonies on the continent, the English ministry determined on making an experiment in those of the West Indies, and a new system of legislation was adopted for the island of Jamaica, modelled on the Irish constitution. The Earl of Carlisle was sent over for the purpose of enforcing it. A body of laws was prepared in the privy council in England (among which was a bill for settling a perpetual revenue on the crown) which his lordship

was instructed to present to the assembly and to require them to adopt the whole code, without any alteration or amendment. In future, the heads of all bills (money bills excepted) were to be suggested in the first instance by the governor and council, and transmitted to his majesty, to be approved or rejected. On their having obtained the royal confirmation, they were to be returned, under the great seal, in the shape of laws, and passed by the general assembly, which was to be convened for no other purpose than this, and that of voting the usual supplies, unless in consequence of special orders from England.

The assembly rejected the proffered constitution, with great indignation. No threat could frighten, no bribe could corrupt, nor art persuade, them to pass laws that would enslave them and their posterity.

A considerable number of persons went from New England upon a journey of discovery, and proceeded four hundred and fifty miles westward of the Mississippi. The war soon after breaking out between the British colonies and the Indians, many of the latter retreated to Canada. From these Monsieur De la Salle, a French adventurer, obtained information which afterwards enabled the French to possess themselves of the river.

The year 1678 is remarkable for the pacification of Nimeguen. On the third of March, Charles II. signed a treaty of alliance with the States General, in which the treaty of Breda was confirmed.

The statutes relating to transportation were now extended, and it was enacted that should any convicted felon in open court pray to be transported, the court

might order him to prison, for transportation beyond sea. 31 Ch. II. ch. 2, s. 14.

Governor Eastchurch at length arrived; to his commission or conduct no objection could be made. The insurgents, however, denied his authority, and refused obedience to him. He was compelled to solicit some aid from lieutenant governor Chicherly, of Virginia, but died of vexation before any could be obtained.

Charles II. ordered two small vessels to be fitted out at his own expense, to transport to Carolina several foreign protestants, who proposed to raise wine, oil, silk, and other productions of the south.

After two years of successful revolt, the insurgents of the county of Albemarle despatched Culpepper to England to proffer their submission to the lords proprietors; but instructed him to insist on the punishment of Miller, who had found means of making his escape out of their hands. Culpepper found him in England, filling the court with complaints of his sufferings and accusations against his prosecutors, but without success. The lords proprietors accepted the submission of the insurgents; but as their envoy was returning home, after having executed his trust, he was prosecuted by the commissioners of the customs, for having acted as collector of the customs, without their authority, and having embezzled the king's revenue in Carolina; he was arrested on board of a vessel at the Downs, brought back, and at Trinity term, 1680, tried by virtue of the statute of Henry VIII. on an indictment for high treason committed without the realm. 35 H. VIII. ch. 2. The famous lord Shaftsbury, then in the zenith of his popularity, appeared in his behalf, and represented, contrary to the most undoubted facts, "that there never had been any regular

government in the county of Albemarle, that its disorders were only feuds among planters, which could amount only to a riot." He was acquitted, and is the first colonist, who appears to have been regularly tried in the court of the king's bench, upon that statute.

The lords of the committee of the plantations reported to the king that, having heard the complaints of the commissioners of the customs against John Culpepper, and having been attended by the lords proprietors of Carolina, they were fully satisfied, after a thorough investigation of the conduct of that man, that he had by his seditious practices abetted a rebellion in that province, imprisoned seven of the deputies of the proprietors and the collector of the king's customs, and having seized into his own hands the custom of his majesty, had, in a proclamation issued in his own name, declared himself the lawful collector, endamaging the royal revenue to a considerable amount: that these facts were confessed by the delinquent, who solicited a pardon, desiring that, if mercy was not extended to him, he might be tried in the country, where the offence had been committed. But the commissioners of the customs prayed that no favor might be shown to him, unless he made or procured satisfaction for the property used and embezzled, which was said to amount to three thousand pounds.

The lords proprietors, in the mean time, had sent John Harvey, as president of the county of Albemarle, and they prevailed upon Seth Sothel, one of them, who, at the death of lord Clarendon, had purchased his lordship's share in the province, to go over as governor of Carolina, in order by his presence to allay the feuds of, and restore tranquility among, the colonists, He sail-

ed on his intended voyage, but was captured by the Algerines.

The oldest records extant in the state of North Carolina are proceedings of a palatine court, held by president Harvey who came out in 1679 or 1680. It appears to have been a court of probates. The accounts are kept in pounds of tobacco ; a negro woman is valued at four thousand five hundred pounds of that commodity, a milch cow at four hundred pounds.

The piece of land, formed by the confluence of Ashley and Cooper rivers, offering a more eligible spot for the chief town of the southern government of Carolina than the one on which Charleston had been built, the lords proprietors yielded to the wishes of the inhabitants, many of whom had begun in the preceding year to remove thither. The foundation of a new town was now laid here, and in the course of year thirty dwelling houses were erected. It received the name of the old town, which was now abandoned, and the new one was declared the port for the various purposes of traffic, and the capital for the general administration of government in that part of the province.

The province of New Hampshire was separated from that of Massachusetts : a commission for the distinct government of that colony being this year brought to Portsmouth. By it, the people had a representation, in a body chosen by themselves, and the king was represented by a governor and council, of his own appointment, and reserved to himself the right of repealing the acts of the legislature at his pleasure.

In the month of March, Monsieur De la Salle, accompanied by Father Hennepin, descended the Ohio and ascended the Mississippi as far as the 46th degree of

north latitude, where they were stopped by a fall, to which they gave the name of St. Anthony.

The ministry in England unable to conquer the stubborn perseverance of the assembly of Jamaica, forbore insisting any longer on establishing the Irish constitution in that island, and on the third of November issued a commission to the earl of Carlisle, containing the power of making laws with the assembly, in the manner which had hitherto prevailed.

A party of Spaniards landed on the island of Providence, one of the Bahama islands, and totally destroyed an English settlement. They took governor Clark, who commanded it, to the island of Cuba, in irons, and put him to death by torture; and Don Philip de Varela Villegas arrived in April, 1680, at the island of Trist and the *laguna de terminos*, attacked the English logwood cutters, while separated from each other, and dislodged them from thence.

Henry Wilkinson was, in the following year, appointed governor of that part of the province of Carolina which lies between that of Virginia and a line drawn at the distance of five miles to the south of Pamlico river. President Harvey, whom he relieved, had commanded but little regard. He manifested too vindictive a spirit, against those who had been implicated in the late revolt. They were proceeded against with severity, and punished with heavy fines, tedious imprisonment, and some of them with banishment; contrary to the instruction of the lords proprietors, who had recommended great moderation.

The people of New England persevered in their resistance to the act of parliament, establishing a duty on colonial produce. Edward Randolph, who had been appointed

collector of it at Boston, arrived this year, and made a vigorous, but unsuccessful attempt to execute his office.

On the fourth of March, Charles II. granted to William Penn a charter for all the land between the river and bay of Delaware and Lord Baltimore's province of Maryland, erecting it into a province by the name of Pennsylvania, and constituting him and his heirs absolute proprietors of it. He immediately gave public notice of the king's grant, and invited purchasers; and a number of persons, chiefly of the Quaker profession, formed themselves into a company, and bought twenty thousand acres of land in the new province, at the rate of twenty pounds sterling for every thousand acres. On the 11th of July he entered into stipulations with the purchasers and other individuals who desired to remove to Pennsylvania, and in the fall a number of the colonists left England. They reached the new province late in the year, and began a settlement, above the confluence of the Schuylkill with the Delaware.

In the spring, the proprietor published a form of government and laws, which he had made with the consent of the persons in England who had become interested in the province. He obtained from the duke of York a release of his right to the land in Pennsylvania, and a conveyance for the tract which was first known under the appellation of the territories of Pennsylvania, afterwards by the three lower counties of Delaware, and now as the state of Delaware.

On the 24th of October, he landed at Newcastle, attended by about one hundred new settlers. He caused the people in the neighborhood to meet him on the next day, and having received before them legal possession of the province, he made a speech to them, acquainting

them with his views, commenting on the nature and end of government, particularly of that which he meant to establish, assured them of liberty of conscience and civil freedom, and recommended to them to live in sobriety and peace. After renewing the commissions of former magistrates, he proceeded to Upland, the settlement now known as the town of Chester ; he there met the general assembly of the province, on the fourth of December. The three lower counties were annexed to the province, and an act of settlement was passed, in reference to the frame of government ; the Dutch and Swede inhabitants, and other foreigners in the province, were naturalized, and all the laws agreed on in England, were passed in form.

William Penn immediately after entered into a treaty with the natives, from whom he purchased as much of the soil, as the circumstances of the province called for, and settled a very kind correspondence with them. He immediately after laid out the city of Philadelphia, and, in the course of the year, upwards of eighty houses or cottages were erected in it.

Lord Cardross, a Scotch nobleman, embarked with a number of families of his nation, with whom he began a settlement on the island of Port Royal, in Carolina ; but his lordship, in consequence of some arrangement made with the lords proprietors, having claimed separate and co-ordinate authority with governor West of Charleston, was compelled, with circumstances of outrage, to acknowledge his submission and dependence ; he soon after returned home.

The spring of the following year is memorable in the annals of the western world, by the descent of Monsieur De la Salle down the Mississippi to the sea, which he

reached on the seventh of April. He took possession of that mighty stream in the name of his sovereign, Louis XIV. of France, in whose honor the country was called Louisiana.

On his way, he stopped on the left bank of the river, and built a fort, within the then chartered limits of North Carolina, near the present town of Memphis, in the state of Tennessee.

Seth Sothel arrived this year in Carolina, and took on himself the government of the northern part of the province, governor Wilkinson having lately died. The new administrator did not find the scene of anarchy altered, neither was he calculated to put a period to it. The instructions of the lords proprietors enjoined him to endeavor, by a mild and humane administration, to reconcile the colonists to order and obedience. The annals of delegated authority have not recorded a name, which deserves more to be transmitted to posterity with infamy, than that of Sothel: bribery, extortion, injustice, rapacity, breach of trust, and disobedience to the laws, are the crimes with which he was charged, while he misruled a miserable colony.

The four precincts on Albemarle Sound, which were hitherto designated by the titles or names of some of the lords proprietors, viz. Shaftsbury, Berkely, &c. were now named by the principal streams that water them, Chowan, Perquimans, Pasquotank and Currituck; appellations which they to this day retain.

Edward Randolph, the collector sent from England for the port of Boston, having written home, that he was in danger of being punished with death, by an accursed law of the province, as a subverter of the constitution, for his attempts to exercise the duties of his office, was

ordered home. On his arrival, he preferred an accusation of high crimes and misdemeanors, against the corporation of Massachusetts, and on the sixth of July an order in council was passed, for issuing process of *quo warranto*, for the dissolution of its charter. This order was however accompanied by a declaration of the king, that if the colony, before prosecution, would submit to his pleasure, he would regulate their charter, for his service and their good, and with no other alterations than such as should be necessary for the support of his government in the province. The proud spirit of New Englandmen could not brook to yield to such terms; it preferred encountering the full effect of the royal wrath. Accordingly, the high court of chancery in England, on the eighteenth of June following, gave judgment for the king, against the governor and company of Massachusetts; their charter was annulled, and their liberties taken in the king's hands. Colonel Kirk was now appointed the royal governor for the colonies of Massachusetts, New Hampshire, Maine and Plymouth.

The French, in order to engross the fur trade, and to check the influence of the English on the Indians, built the fort at Detroit.

Lord Effingham, who was appointed the preceding year governor of the province of Virginia, was instructed by his sovereign to allow no person to use a printing press, on any occasion whatever.

The want of a circulating medium being severely felt in the province of Carolina, its parliament, at the same time "raised the value of foreign coin," and passed an act to suspend the prosecution of all foreign debts; it received the assent of the lords proprietors, but it was afterwards dissented from, because it "was

contrary to the king's honor, since it was in effect to stop the course of justice, and because the parliament had no power to enact a law so contrary to those of England." The lords proprietors ordered all officers to be dismissed, that had promoted that law.

The confederacy of the five nations of Indians, in Canada, had extended its conquests to a vast extent to the south and west, from the shores of the Mississippi to the borders of the western settlements of Maryland and Virginia. These two provinces, often involved in the calamities of their Indian allies, whom they were unable to protect, except by treaties, found it expedient to settle terms of peace with the ferocious conquerors: the governor of Virginia proceeded to Albany, where, with that of New York, he met the deputies of the five nations, and concluded a peace.

In 1685, the bishop of London sent James Blair, as his commissary in Virginia.

On the 16th of February, Charles II. died, and was succeeded by James, duke of York, his brother.

At this period, with the exception of the province of Georgia, which was not established till half a century after, all the colonies, who in the next century seceded from the British empire, and became the United States of America, were already in an advanced state of progressive improvement: the English had besides valuable establishments at Bermudas, and in a number of the West India islands.

The French in Canada made great, but not equal progress; they had settlements to the west, as far as Detroit and Michillimackinac, and had extended of late their discoveries to the gulf of Mexico; they carried

on a considerable commerce among the Indian tribes, who hunted on the banks of the Mississippi. Their progress, however, was considerably checked by the Indians of the five nations, whom the government of the English colonies supported, as a barrier against the encroachments of the French.

The Spaniards had no settlement on the northern continent, except the few forts on the coast of Florida, which for upwards of a century they had kept up, without any agricultural improvements around them.

Although the English colonies might rejoice in their advancing population and wealth, their political sky was not as serene as the natural. We have seen the storm bursting over the northernmost section; thick clouds were gathering over Rhode Island and Connecticut; the people of New York were not yet allowed all the rights of Englishmen; the small colony of New Jersey, divided among two proprietors, was distracted in her councils; Pennsylvania, in the midst of her sisters, in perfect tranquility beheld, unconcerned for her own situation, the clouds that hovered around them. The southern provinces had not recovered from their internal dissensions, and the attacks of the Indians.

The population of Carolina was still very inconsiderable: in the northern part of the province, there were scattered plantations on both sides of Albemarle sound, and the shores of the rivers that empty into it: in the southern part, there were still a few planters on Cape Fear river, but most of the planters from Barbadoes had removed to the shores of Ashley and Cooper rivers, where was now a growing settlement. These, with the habitations of the few Scotch families left by lord Cardross at Port Royal, constituted the whole popula-

tion of the province. The settlement on Ashley and Cooper rivers, had received a small reinforcement by the migration of some Dutch families, on the conquest of the New Netherlands.

Chalmers—History of South Carolina—Edwards.

CHAPTER X.

The death of Charles II. had put a temporary stop to proceedings against the chartered American colonies : but James II. soon found it expedient to renew them. In July, 1685, the administration of the governor and company of Connecticut was complained of, viz : "they have made laws contrary to the laws of England ; they impose fines on the inhabitants, and convert them to their own use ; they impose an oath of fidelity upon the inhabitants, without administering the oath of supremacy and allegiance, as in their charter is directed ; they deny to the inhabitants the exercise of the religion of the church of England, arbitrarily fining those who refuse to come to their congressional assemblies ; his majesty's subjects inhabiting there, cannot obtain justice in the courts of the colony ; they discourage and exclude from the government all gentlemen of known loyalty, and keep it in the hands of the independent party in the colony." In consequence of these charges, James ordered a *quo warranto* to be issued against the charter of Connecticut. The people perceived the king was in earnest, and their alarm manifested itself in humble solicitations for favor. In the month of October, of the same year, a similar process was sued out against the colony of Rhode Island. Colonel Kirk's commission not having received the royal seal, before the late king's de-

mise, Joseph Dudley, a native of Massachusetts, was appointed president of New England. The first post office, was established in the colonies, in the year 1685, and Edward Randolph was appointed deputy post-master, for New England.

The Spaniards, at St. Augustine, believing that some late attacks, on their people by the Indians, were owing to the ill conduct of some of the Scotch settlers, left by lord Cardross on the island of Port Royal, invaded that part of the colony and laid it waste.

This year, writs of *quo warranto* were issued, with a view to obtain the forfeitures of the charters of Carolina and New Jersey. The proprietors of the first province, prudently bending before a storm, which it seemed vain to resist, eluded the force of a blast, that had laid the charters and government of New England, in ruins; and offered a treaty of surrender. New Jersey was, not long after, annexed to the government of New England.

The king, intending to establish the same arbitrary rule in New York, as he had designed for New England, deprived that colony of its immunities. Governor Dongan, hitherto the proprietor's, now the royal governor, was instructed not to allow any printing press; the assembly was abolished, and New York reduced to the condition of a conquered province.

On the 20th of December, Sir Edmund Andros, whom the king had appointed governor of New England, arrived at Boston. He was instructed to continue the former laws of the country, so far as they were not inconsistent with his commission and instructions, until other regulations were established by the governor and council; to give universal toleration in religion, and encouragement to the Church of England;

to execute the laws of trade, and prevent frauds in the customs. As it was not imagined that the new order of things would be submitted to, on the part of the colonists, by choice, a small military establishment was formed, and warlike were stores sent over.

In obedience to his instructions, governor Andros, within ten days after his landing, dissolved the government of Rhode Island; broke its seals, and assumed the administration of that province.

A number of French Protestants, driven from their country, by the revocation of the edict of Nantz, which took place the preceding year, arrived in Boston; they were kindly received, and a subscription sat a foot, for the use of those who needed relief; they built a small brick church in School street. The greater part of them, however, soon after sought a milder climate, in the provinces of Virginia and Carolina.

The year 1687, is remarkable for the first plan of an insurrection of the blacks on the continent. It took place in the province of Virginia, and in that part of it which is called the northern neck; it was discovered just in time to prevent its explosion, and lord Effingham averted its consequences, by the early and strict execution of the laws relating to the police of slaves. John Burke believes their number fell little short of one half of the population of that province.


During the month of April, the king's attorney general, in England, sued out a writ of *quo warranto*, against lord Baltimore, the proprietor of Maryland; but no judgment was obtained.

In the month of October, governor Andros, attended by his suite and sixty soldiers, went to Hartford, where the general assembly was in session, and declared the

charter government to be dissolved. The assembly, being called upon to surrender the charter, protracted the discussion that arose, till early candlelight, when, the instrument being brought in and laid on the speaker's table, the lights were instantly extinguished, without any disorder or confusion ensuing; but when the candles were lit, the parchment could not be found. Captain Wadsworth, of Hartford, had silently carried it off, and secreted it in a hollow tree, which, to this day, is regarded with veneration, as the preserver of the constitution of the colony.

Sir Robert Holmes was despatched from England, with a small naval force, and an extraordinary commission, for suppressing pirates in America. The governors of Carolina were instructed to show examples of submission to his power, and to afford every possible assistance to his armament. This project was successful, till new causes, not long after, gave rise to piratical adventurers, which required all the continued energy of William and Mary to suppress.

The French, at this time, made their first attempt at a settlement, on the gulf of Mexico. Monsieur de la Salle had returned to France, in 1683, to carry to his sovereign, the news of his discovery, and taking possession, of the Mississippi, and the country at the mouth of that river. Louis XIV., anxious to secure this new acquisition, despatched a small armament, consisting of four vessels, under la Salle, with one hundred soldiers, some artillery, and a number of settlers. La Salle took the old route by the way of the West Indies; he touched at Hispaniola, and unfortunately missing the mouth of the river he was in quest of, he fell two hundred miles to the westward, in the bay of St. Bernard, which he



called the bay of St. Louis: here he built a fort, and leaving a garrison in it, proceeded easterly, along the coast, in search of the Mississippi; reaching another river, which he mistook for the one he looked for, and built another fort, on its bank. He then set off for Canada by land, intending to reach it through the river Illinois, and proceeded as far as the settlement of Nacogdoches, in the Spanish province of Texas, in the neighborhood of which, he was murdered by one of his men, on the 27th of March, 1687; the rest of the party continued their route to Quebec. The Indians fell on the men La Salle had left on the sea shore, and destroyed them all, except a few whom they carried away to their villages.

It was thought advisable, in 1687, on several accounts, particularly the extensive progress the French were making in Canada, to appoint one general governor over New England; the submissive application of the people of Connecticut could no further be regarded, than by allowing them their choice, to be annexed to New York or Massachusetts; they preferred the latter; and, accordingly, Sir Edmund Andros having been appointed captain general over all New England, the charter of Connecticut was surrendered to him at Hartford, in October, 1687, and the colony was annexed to Massachusetts, according to the royal promise, through the people's petition; but the very night of the surrender of it, Samuel Wadsworth, of Hartford, with the assistance of a mob, violently broke into the apartments of Sir Edmund, regained, carried off, and hid the charter in the hollow of an elm tree.

In the year 1688, the distractions and commotions, in the northern part of the county of Albemarle, rose

to such a height, that the colonists, almost driven to despair, secured the person of governor Sothel, and imprisoned him, with the view of sending him to England, to answer to the lords proprietors for his crimes; but, yielding to his entreaties, and his offer to submit their mutual accusations to the assembly, they left him at liberty. The general assembly gave judgment against him on all the charges, and compelled him to abjure the country for twelve months, and the government forever.

King James now united the four colonies of New England, and the provinces of New York and New Jersey, under one government, and appointed Sir Edmund Andros captain general and vice admiral, over them, and Francis Nicholson was named his lieutenant. All the powers of government were vested in a governor and council, and the people had no agency in the administration of affairs, nor any vote in the appointment of officers.

The inhabitants of several towns in Massachusetts, refused to make the assessments, without which, the taxes imposed by the grant of the legislative council under governor Andros, could not be collected. The selectmen of Ipswich came to a resolution, "That, inasmuch as it is against the privileges of Englishmen to have money raised without their consent, in an assembly or parliament, therefore, they will petition the king, for the liberty of an assembly, before they make any rates." The governor endeavored to procure obedience by prosecutions, and the judges punished several individuals by heavy fines and long imprisonment. Increase Mather, a respectable clergyman, was sent to England, to represent the grievances of the people of New England to the king.

Early in the following year, accounts of the abdication and departure of the king for France, which had taken place on the 23d of December, reached the continent, and it was rumored that the prince of Orange had, or would soon land in England. Thus, at a time that a revolution was effected at home, the northern colonies gave the parent state the example of another. They had suffered for three years, under a privation of their most valuable rights, and their patience was now exhausted.

Sir Edmund Andros, governor of Massachusetts, imitating the capricious and arbitrary conduct of James, the people could not long brook submission to their sway: having sought in the wilds of America, the secure enjoyment of civil and religious liberty, they were not disposed to see their dearest rights wrested from them, without a struggle to retain them. They had, for several years, suffered the impositions of a tyrannical administration, and the dissatisfaction and indignation which had been gathering was now blown to a flame, by a report of an intended massacre by the governor's guards. On the 18th of May, 1689, the inhabitants of Boston took arms; the people poured in from the country, and the governor, with such of his friends as had been most active, and many other obnoxious persons, were secured and confined. The old magistrates were restored, and the next month the news of the revolution in England, quieted all apprehensions of the consequences of what had been done. Sir Edmund was, however, kept in the castle till the month of February, when he was sent to England for trial, and the general court sent with him a committee of several gentlemen, to substantiate the charges against him.

Most of the members of the council, the principal officers, and the collectors, to the number of about fifty, were likewise seized and confined.

The old magistrates were reinstated ; and calling to their assistance, a number of respectable individuals from the town and county, formed themselves into a "Council for the safety of the people, and the continuation of the peace." On the 24th, the magistrates chosen in 1686, subscribed a declaration of their acceptance of the care in government of the people, until, by directions from England, there might be an orderly settlement of government, and on the 29th, William and Mary were proclaimed, with great ceremony, in Boston. An address was sent to their majesties, and they were besought to allow the exercise of government, according to the charter, till they were pleased to establish a new one. This was acceded to.

The people of Rhode Island, on hearing of the imprisonment of governor Andros, met at Newport on the 1st of May, voted to resume their charter, and called in their former officers.

Robert Treat, who had been elected governor of Connecticut, in 1687, when the charter was surrendered to Sir Edmund Andros, was declared still governor of the province. Intelligence was received of an insurrection and the overthrow of governor Andros, at Boston. The new governor summoned the old assembly, who voted the validity of the charter, and directed Samuel Wadsworth to bring it forth, who, attended by the high sheriff and a concourse of people, carried it to the governor ; the general court voted their thanks and twenty shillings to the gentleman, for his care and preservation of the charter.

On receiving information, in New York, of the king's abdication, the principal officers met, in order to consult on the exigencies of the occasion ; but, while they were deliberating, Jacob Leisler, at the head of a party of fifty men, took possession of the fort, in the name of the prince of Orange ; and in the month of June, William and Mary were proclaimed, and until the arrival of colonel Henry Slaughter, two years after, as royal governor, the province was ruled by a committee of safety, presided by Leisler.

Their majesties were soon after, proclaimed in the other colonies.

Philip Ludwell, of Virginia, who had filled in that province, the office of collector of the customs, and who had suffered for his adherence to governor Berkely, during Bacon's rebellion, came over as governor of the northern part of Carolina.

In the month of November, William Blair was received in Virginia, as commissary of the bishop of London, in the English provinces on the continent. The duties of the commissary were analagous to those of a pope's legate. He was representing in the colonies, the right reverend father of the church, and he made visitations, enquiring into and correcting the discipline of the churches, and acted in all cases with that supreme ecclesiastical authority, exercised by his superior, himself.

The province of Virginia was at that time much distracted, and ready to break out at the slightest irritation, into open revolt; nothing, says John Burk, had hitherto preserved ever the appearance of tranquility ; but the revolution in England, and the hopes of redress from a king, elected by the nation, on principles of liberty.

General Codrington compelled the French inhabitants of St. Kitts to surrender, and forced eighteen hundred of them to seek refuge in Martinique and Hispaniola.

The ministers found themselves in a perplexing dilemma: if they condemned Andros' administration, the sentence might be drawn into a precedent, and they might seem to encourage rebellion and insurrection in future periods, when circumstances did not render so desperate an expedient necessary. On the other hand, if they should approve of his administration, and censure the conduct of the colonists, it would imply a reprobation of the very measure, which had been pursued in bringing about the revolution in England. It was, therefore, considered prudent to dismiss the business, without coming to a formal decision: the people were accordingly left in the enjoyment of their freedom, and Sir Edmund, in public estimation guilty, escaped censure. Shortly after, he succeeded lord Effingham, in the government of Virginia, in which his conduct appears to have been correct.

While Louis XIV., in his attempt to support king James, kindled the flames of war in Europe, the count of Frontenac, his governor in Canada, spurred on the Indians to aid him in annoying the English in America. On the 29th of June, a party of Indians came to the town of Sorell, in the province of New Hampshire, and killed or captured about fifty persons. Soon after, they routed the garrison at Oyster river, where they slew more than twenty of the inhabitants. On the 28th of August, they took the fort at Pemaquid, and committed great depredations in the province of Maine. In the mean time, a host of privateers sailed out of Acadia, captured a number of English vessels, and kept the

sea-coast in constant alarm. Nor were these excursions stopped by the severity of the weather. On the 8th of February, 1690, the enemy fell on, and committed great slaughter in, Schenectady, on the Mohawk river. On the 18th of March, another party made an attack on Salmon falls, a settlement on the river which divides the province of New Hampshire from that of Maine. They slew thirty, and carried away fifty-four of the inhabitants into captivity, setting fire to the houses and mills; and in May, another party destroyed the settlements at Casco.

The general court of Massachusetts now determined to retaliate, and make an attempt on Port Royal. Under the command of Sir William Phips, eight vessels were accordingly fitted out, and he sailed with seven or eight hundred men, on the 28th of April: the fort of Port Royal, being incapable of resisting this force, surrendered with little or no resistance, and Sir William possessed himself of all the coast from Port Royal to the settlements of New England, and was induced by this success to attempt the reduction of Canada. Two thousand men were to march up the lakes, and thence to Montreal, while a fleet was attacking Quebec. Thirteen sail were collected, the largest of which was a 44 gun ship. They sailed from Nantasket on the 9th of August. Success did not attend the attempt. The army which was to proceed up the country not being provided with batteaux and provisions, retreated without crossing the lakes. The fleet was early discovered in the river, and was not before Quebec till the 5th of October. Three days after, all the effective men, about twelve hundred in number, were landed, but re-embarked on the 11th, without success. The extreme cold


and tempestuous weather compelled Sir William to retreat.

So fond were the hopes of success at Boston, that the general court had not made any provision for the payment of the troops, imagining the capture of Quebec would have rendered such a provision useless. The clamours of the disbanded soldiery rose so high, that an insurrection was dreaded. In this extremity, an emission of paper money was resorted to. It was the first that was issued in the American colonies.

A great number of French refugees were this year sent, at the king's expense, to the province of Virginia, and settled themselves on James river; others purchased land from the proprietors of Carolina, and settled on Pamlico and Santee rivers.

Doctor Cox, to whom the title of Sir Robert Heath, under the patent of the year 1629, to Carolana, had passed through several conveyances, laid a memorial before king William, in which he represented the great expense he had been at, in discovering and settling Carolina; but his claim, though, as it is said, incontestibly proven, was disregarded. His son, Daniel Cox, who had resided fourteen years in the country, maintained his father's claim, and published a full account of it.

Seth Stothel, countenanced by a powerful faction, in the southern part of Carolina, and presuming on his authority, as one of the lords proprietors, made his appearance in Charleston, and seized the reins of government. His popularity and power were of short duration. The assembly, two years after, compelled him to abjure the county, and government. The lords proprietors, says Hewit, dissented from all the laws passed during his government.



The settlement at New Providence, in the Bahama islands, being already considerable, a regular government was established there, by the lords proprietors of Carolina, and Cadwallader Jones was sent as governor.

The island of St. Kitts was, this year, reconquered from the French, by the English, under colonel Codrington, and the white male inhabitants, amounting to about eighteen hundred, were sent, with their women and children, to Hispaniola and Martinico.

On the 25th of January, in the following year, the town of York was destroyed; fifty of the inhabitants killed, and one hundred of them made prisoners. The province of New Hampshire suffered so much by the incursions of the French and Indians, that it was on the eve of being abandoned.

On the 14th of May, 1692, Sir William Phips arrived at Boston, with the new charter of the province, and a commission, constituting him governor of Massachusetts, and captain general of the colonies of Connecticut and Rhode Island. In the latter colony, he vainly attempted to exercise his authority. The province, designated by the old charter, contained the whole of the old colony of Massachusetts, that of Plymouth, the provinces of Maine and New Hampshire, and all the country between these provinces as far north as the river St. Lawrence. The new charter did not secure to the colonists all the privileges, which they had enjoyed under the old. The legislature endeavored to make amends for this, by an act in the nature of a bill of rights, or magna charter; but it was disallowed by the king.

The provinces of Rhode Island and Connecticut were left in the enjoyment of their first charter.

Sir William Phips, according to his instructions, proceeded to Pemaquid, where he built a fortress, on a larger scale, and superior in the execution of the work, to any hitherto constructed by the English in America. It was named fort William Henry.

A patent was this year laid before the legislature of Virginia, for establishing a general post-office in Virginia, an act was passed to give it effect ; but such was the dispersed situation of the planters, that the project failed in its execution.

Governor Ludwell being sent by the lords proprietors to take the command of the southern part of the province, his authority devolved on Alexander Lillington, and, on the succeeding year, on Thomas Harvey, as deputy governor.

The Indians in the southern part of Carolina were now at war between themselves, and governor Ludwell adopted, as a mean of security for the whites, the plan of setting one tribe against the other. Besides securing the friendship of some tribes, which he employed to carry on war against the others, he encouraged all to bring captives to Charleston, for the purpose of transportation to the West Indies. This year, twenty Cherokee chiefs came in, with proposals of friendship, soliciting the assistance of government against the Esau and Coosaw tribes, who had taken some of their people prisoners. They complained at the same time of the outrages of the Savanna tribe, who, contrary to former regulations established among themselves, had sold some of their countrymen ; and begged the governor to return the captives, and protect them against such insidious enemies. The governor declared his intention to live in peace and friendship with the Cherokees,

and to do every thing in his power for their protection and defence. The prisoners, he observed, had already been shipped away to the West Indies, and could not be recalled, but he engaged to take care for the future, and that a stop should be put to the custom of sending them out of the country.

Both parts of the province were still in a confused state. After the fairest trial, the form of government, proposed by John Locke, proved totally unfit for the wants and state of the province; the people declared to the lords proprietors, they would rather be governed by the powers granted, without regard to the fundamental constitutions, and the lords proprietors granted their request. Thus, says Chalmers, at the end of twenty-three years, perished the labour of Mr. Locke. Then was abrogated, at the entreaty of the Carolinians, who had scarcely known one day of enjoyment, a system of laws, which had been intended to remain ever sacred; which far from having answered their end, introduced only disputes, faction, and disorder, that were ended by the dissolution of the proprietors' government. The Carolinian annals show to all projectors the vanity of attempting to make laws for a people, whose will, proceeding from true principles, must be forever the supreme law.

A dreadful storm was this year experienced in Virginia, and the northern part of Carolina. "It seemed to reverse the order of nature."—It stopped some rivers, and, for others, it opened channels, that were ever navigable.

The king and queen assumed the government of the province of Pennsylvania in their own hands, and Benjamin Fletcher was appointed governor of this province,

as well as that of New-York; The personal friendship of Penn for king James, and an intimacy at court during his reign, rendered him suspected of disaffection to the present government. In the following year, he was permitted to resume the government of his province, and he sent over William Markham.

The French took fort Nelson, in Hudson's bay, and placed in it a garrison of sixty-eight Canadians, and six Indians. They named it fort Bourbon.

In the month of January, 1693, Sir Francis Wheeler sailed from Dartmouth, with three men of war, and some land forces, under the orders of colonel Foulkes. He reached the island of Barbadoes on the 4th of March, where preparations were made for an attack on Martinique. The fleet arrived before this island on the first of April, the troops landed at Cul de sac marin, and destroyed the plantations in that quarter, among which were several fine ones. The troops landed a few days after at Diamond's point, where they laid the country waste. The fleet proceeded to the neighborhood of fort Royal, and fort St. Pierre, when they had several skirmishes with the inhabitants, and set fire to several houses and plantations. On the 23d, the fleet set sail for the island of Dominico, when it was determined to attack that of Guadeloupe; but a malignant disease, pervading the fleet, induced Sir Francis to make the best of his way for Boston. So terrible was the contagion, that before he reached the continent, he had lost thirteen hundred, out of twenty-one hundred, sailors, and eighteen hundred, out of twenty-four hundred, soldiers. He entered the port of Boston on the 12th of June, and endeavoured to prevail on governor Phips to raise men for the reduction of Canada. This

could nor be effected, and the fleet sailed for Newfoundland, where Sir Francis landed, and destroyed the settlement of St. Pierre de Miquelon.

Some Englishmen, with their families, removed to the Virgin islands, where they made considerable improvements: their wants were few, and their government simple, and without expense. Their judicial powers were exercised by the governor, and by a council chosen among themselves. There were no taxes: money, when wanted for public purposes, was raised by voluntary contributions. Under such circumstances, it could not be expected that the colony would rise to much importance.

Dissentions and disorder still prevailing in Carolina, the proprietors, anxious to prevent the destruction and ruin of their settlement, resolved to send one of their own number, with full power to redress grievances, and settle differences in the colony. Lord Ashley, the celebrated author of the "Characteristics," was chosen, but soon after declined the mission. The second choice of the proprietors fell on John Archdale, a Quaker, and a man of considerable knowledge and discretion. He reached the northern settlement of Carolina in the summer, and assumed the government of the whole province. The planters received him with universal joy, and private animosities and civil discord seemed awhile buried in oblivion. The legislature was called, and governor Archdale, by the discreet use of his extensive powers, settled almost every matter of general concern, to the satisfaction of the colonists. The price of land, and the forms of conveyance, were settled by law. Three years rent was remitted to those who held land by grant, and four to such as held them by survey, and

not by grant. Such lands, as had escheated to the lords proprietors, were ordered to be let out or sold. It was agreed to take the arrears of great tracts either in money or commodities, as should be most convenient to the planters. Magistrates were appointed, for trying all causes, and determining all differences, between the settlers and the Indians. Public roads were ordered to be made, and water passages to be cut, for the more easy conveyance of produce to the market. Some former laws were altered; and such new statutes were made, as the good government and peace of the colony appeared to require. Public affairs assumed an agreeable aspect, and excited just hopes of the future progress and prosperity of the settlement.

Governor Archdale, in the beginning of the new year, proceeded to Charleston, where he met the legislature of that part of the province, in the month of March.

The planting of rice was introduced about this time, in Carolina. A brig from Madagascar, on her way to England, came to anchor off Sullivan's island:— Thomas Smith, a landgrave, going on board, received from the captain a bag of seed rice, with information of its culture in the east, its suitableness for food, and its incredible increase. The landgrave divided the seed among his friends, and an experiment being made in different soils, the success surpassed the expectation the captain of the brig had excited, and from this small beginning, arose the staple commodity of Carolina, which soon became the chief support of the colony, and the great source of its opulence.

This year, George, lord Carteret, died, and was succeeded by his son, John, then five years of age, who, in

1744, succeeded, on his mother's death, to the title of viscount and earl Granville. His mother, Grace Carteret, was daughter to the late earl of Bath. She was (Dec. 17, 1714) created countess Granville, viscountess Carteret.

In the year 1695, king William granted a charter to the Scots, African and Indian Company, authorizing them to plant and maintain colonies, in any part of Asia, Africa and America, not the property of such European powers as were at amity with his majesty: with an exemption for twenty-one years from all duties on the produce of such plantations. They were not only empowered to defend their colonies and trade by force of arms, but had the promise of the royal authority to do them right, if they were disturbed, at the public expense.

In the beginning of 1696, a fleet of seven men of war, and twelve transports, sailed from Plymouth, under the orders of Herbert Wolcott, for St. Kitts, from whence they proceeded to Hispaniola, in the hope of obtaining aid from the Spanish governor there, to attack the French. This being afforded, the allied powers prepared for battle, but such a misunderstanding prevailed among the officers of the two nations, that nothing could be effected. Disease made great havoc among the English forces, and the commodore fell a victim to it, and the number of sailors was so much reduced, that on the return, one of the ships was left at cape Florida, for want of hands to work her.

The French, in the following year, attacked and possessed themselves of Fort Prince William, at Pemaquid, and destroyed all the English settlements in Nova Scotia, excepting those of St. Johns, Bonavista and Car-

boniere harbor, and the English re-took Fort Bourbon (Nelson,) in Hudson bay.

The small pox raged among the Pamplico Indians, and considerably reduced that tribe.

In the latter part of this year, governor Archdale returned home, leaving the administration of the northern part of the province, in the hands of Thomas Harvey, as deputy governor.

This year was established, in England, the board of the lord's commissioners of trade and plantations, the affairs of the colonies being at this time, too considerable and important to be managed, as part of the concerns of any of the departments. With this board, the governors of the colonies were directed to hold a constant correspondence, and to transmit to it, the journals of their councils and assemblies, the accounts of the collector of the customs and naval officers.

Parliament now laid additional restrictions on the trade of the colonists. By the statute 7 and 8, W. and M. c. 22, it was enacted, that no commodity should, after the 28th of March, 1698, be exported to, or imported from, the plantations, to England, Wales or Berwick-upon-Tweed, except in vessels built in England, Ireland or the plantations, owned by the king's subjects, and navigated by a master and crew, three-fourths of whom, at least, should be British subjects: an exception was made in favor of prize vessels. The execution of the revenue laws was enforced by very severe penalties. Persons, charged with any offence against them, were made liable to be tried in any part of the colonies, in which the offence or informer might allege it to have been committed; and they were deprived of a trial *de medietate linguæ*. Commodities of

the growth and produce of the plantations, were forbidden to be landed in Ireland or Scotland, till after they had been landed, and the duties thereon paid in England, Wales or Berwick-upon-Tweed. The appointments of the governors of the proprietary provinces were required to be proposed to, and approved by the king; and the proprietors of these provinces were forbidden from selling land to any but the king's natural born subjects of England, Ireland, Wales, or Berwick-upon-Tweed, without the king's license. The governors, in every colony, were specially charged to see the revenue laws carried into complete operation; all laws, customs and usages, in practice in any of the plantations, were declared to be void and of no effect. Juries were required to be composed of natural born subjects of England, Ireland, or the plantations, and the informer, or prosecutor, was permitted to allege the offence to have been committed in any colony, province, county, precinct or district, in the plantations.

Although no design, on the part of the ministry, of taxing any of the colonies, at so early a period as this, can be ascertained, about this time a pamphlet was published in England, recommending a parliamentary tax on one of them. This pamphlet was answered by two others, which totally denied the power of taxing the colonies, because they had no representatives in parliament to give consent.

Preparations being made in France, for sending a colony to the Mississippi, the king of Spain sent don Andres de Ariola, to Pensacola, as first governor of the province. Don Andres built a fort, with four bastions; he gave it the name of St. Charles, and erected a church and a few hovels.

Early in the following year, a French fleet, under commodore de Pointiz, plundered Carthage, destroyed its forts, and carried off eight millions of crowns. A little before his landing, the people of fashion, and the ecclesiastics of both sexes, had retired into the country, with one hundred mules, laden with treasure.

On the 17th of April, vice admiral Nevil arrived at Barbadoes, with a fleet of English and Dutch men of war; they were in quest of Pointiz, and fell in with him, but he escaped them. The fleet cast anchor at Carthage, which had suffered so much from the visit of the French, that the inhabitants seriously spoke of abandoning it. From thence, the fleet proceeded to Hispaniola. Rear admiral Muse was sent with a small party to Petit Goave, which he surprised. The inhabitants fled into the woods, and the soldiers began to pillage the town, but soon grew intoxicated and set fire to it. The rear admiral having joined the fleet, they proceeded to Jamaica, in order to take the king's ships that were there, and proceed to Havana, in order to meet and convey the galleons home. The governor refused to allow the fleet to enter the port, even to permit them the purchase of some provisions they were in want of; and the general of the marines sent word to vice admiral Nevil, that his orders did not allow him to avail himself of the offer to convey the galleons. Rear admiral Muse and a number of English captains fell victims to the diseases of the climate. The fleet proceeded to Virginia, where the vice admiral paid the last debt of nature; and Thomas Dicks, the only commander who survived, took the command, and conveyed hence the merchant ships that lay before Jamestown.

On the 28th of September, peace was concluded between England and France. Louis XIV. acknowledged William III. king of England, and engaged not to trouble him, either directly or indirectly, in the enjoyment of his three kingdoms, nor to favor in any degree any person that might pretend to have any claim thereto. Mutual restitution was agreed to be made, of all countries, forts and colonies, taken by each party during the war.

Chalmers—History of South Carolina—Marshall.

CHAPTER XI.

THE peace of Riswick was scarcely published in America, before a misunderstanding began to manifest itself between the agents of both powers in the new world. The French claimed the exclusive property of the fisheries, and of every part of the country to the eastward of Kennebeck. The English lay claim to all the country westward of St. Croix, as being within the bounds of the province of Massachusetts. Governor Villebon of Acadia informed lieutenant governor Slaughter of Massachusetts, that he was instructed to consider Kennebeck river, from its source to the sea, as the boundary between the two nations.

On the 25th of January, 1699, d'Iberville, (with two frigates and two transports,) sent by Louis XIV. to begin the settlement of Louisiana, arrived on the coast of Florida, and built a fort in the bay of Biloxi, between that of Mobile and the Mississippi: this was the first permanent establishment of the French on the gulf of Mexico: it continued, with steady but slow improvement, till the cession of the country to the Spaniards, seventy years after.

King William having, in the year 1695, at the request of the parliament of Scotland, incorporated a company in that kingdom, to trade to Africa and the East and West Indies, they projected a settlement at Darien; three ships

and two tenders, with about twelve hundred colonists, sailed from the Frith, in Scotland; they landed on the continent, within a league of an island now known as St. Catherine's island, treated with the natives, and with their leave, on the fourth of November, took possession of a tract of the country never before possessed by any European power, where they built a fort, and began to lay the foundation of a town, to be called New Edinburg, and they named the settlement Caledonia. It lay near Panama and had Portobello on one side, and Carthagena on the other. This situation, while it excited in Scotland the most sanguine hopes of treasures of gold, greatly alarmed the Spaniards and the French, and Louis XIV. offered to Charles II. a fleet to destroy the Scots. Both nations complained to king William, who too readily hearkened to their representations. Accordingly, the next spring, Sir William Bereton, governor of Jamaica, issued his proclamation, importing, that the king, considering the settlement of Darien as a violation of his treaties with his allies, all the king's subjects were forbidden to hold any correspondence with the Scots at Caledonia, or to give them any assistance. The governors of Barbadoes, New-York and Massachusetts, issued similar proclamations, and the settlement was abandoned.

The administration of the government of the northern part of Carolina devolved on Henderson Walker, by the death of Thomas Harvey, in 1699, and a material alteration took place in the judiciary. Hitherto, the general court had been holden by the chief magistrate, the deputies of the lords proprietors, and two assistants: a commission was now issued, appointing five persons justices of the supreme court, two of whom were of the

quorum, the presence of one of whom was necessary for constituting the court.

Government being informed, that captain Kidd, who had fitted out an armed vessel, called the *Adventure Gally*, and had obtained a commission, authorizing him to capture pirates and seize their vessels and goods, exercised notorious piracies, rear admiral Benlow had particular orders to look for him, and seize him and his crew, with his vessel and goods, in order that an example might be made. The history of this man was this : a number of confederated pirates, mostly English, infesting the East India seas, and having taken a ship of the great mogul, the company communicated to government their apprehensions, that this prince might grant letters of reprisals to his subjects, and it was determined to destroy these pirates, who took shelter in hidden creeks in the island of Madagascar. A ship was accordingly fitted out, and the command of her given to Kidd, who knew the retreats of the pirates, and was supposed in all respects to be well qualified to attack them. Government appropriated, however, no fund for his armament ; the king proposed to interest in it such individuals as might be willing to supply the means ; he offered to subscribe three hundred pounds himself, and charged his ministers to look for adventurers. Lord Somers, the earls of Oxford, Romney and Bellamont and others, furnished, however, all the funds ; the king having found the means of avoiding to take any interest, by making an abandonment of the proceeds of all captures to the adventurers.

Kidd sailed, and news reached England some time after, that, instead of pursuing the pirates, he was himself engaged in piratical pursuits, committing great depreda-

tions in the West Indies, and along the coast of the continent. The ministers, and lord Somers principally, were highly blamed, and it was maliciously insinuated, that Kidd would not have dared to engage in these piracies, if he had not depended on the protection of those, who had supplied the means for the expedition.

Rear admiral Benlow proceeded to Carthagena, with four men of war, where he compelled the governor to release several merchantmen, which the Spaniards had taken, on account of the settlement made by the Scotch at Darien. The rear admiral, having anchored at Jamaica, was pressed by the governor and merchants to require from the Spanish admiral, some reparation for the injuries the commerce of the king's subjects had of late sustained in the West Indies, by frequent captures. For this purpose, he proceeded to Portobello: the Spanish admiral found an excuse for the excesses of his countrymen, in confounding the interest of the English with that of the Scotch. No satisfaction could be obtained. The rear admiral returned to Jamaica, where hearing that Kidd had lately been seen in those seas, he went in quest of him. In his cruize, he anchored at St. Thomas, to expostulate with the Danish governor, who was said to afford shelter to Kidd, and other pirates who infested the sea: he received a very unsatisfactory answer; but as he had no order to proceed to extremities, he was compelled to dissimulate. He next proceeded to New-York, where he was informed, that the earl of Bellamond, governor of that province, had sent Kidd to England, with a considerable part of his booty. Attempts were made to induce this man to implicate the lords who had procured him the king's commission, but however irregular might have been his conduct, he

had honesty enough to refrain from accusing innocent persons : he was tried at the old bailey, with several of his accomplices, convicted, executed, and hung in chains.

Dr. Cox, of New Jersey, proprietor of the province of Carolina, fitted out two ships, provided with twenty great guns, sixteen patereros, abundance of small arms, ammunition, stores and provisions of all sorts, not only for the use of those on board, and for discovery by sea, but also for building a fortification and settling a colony ; there being, in both vessels, besides sailors and common men, above thirty English and French volunteers, "some noblemen and all gentlemen." One ship entered the Mississippi, and meeting a party of Frenchmen, by whom they were pursued, the people on board were persuaded that they had mistaken the stream they were on, for the Mississippi : they returned to sea. The place in which they met the French was, from this circumstance, called the English Turn.

The attention of the colonists, in some of the northern provinces, had been drawn to the raising of wool, and the manufacture of some coarse kinds of cloth : this sign of incipient prosperity was noticed in England with a jealous eye ; and with a view to depress the enterprising spirit of the colonists, which tended not only to free them from their dependence on the manufactures of England, but to enable them, in course of time, to rival those in the West India market, and in order to compel the shipment of a greater quantity of the wool raised in America to the mother country, a statute was now passed (10 & 11 of W. & M. 3) prohibiting the transportation of wool, or any article manufactured out of

wool, from one of the American provinces to another, by land or water. These instructions were guarded by very severe penalties, made recoverable in the courts of Westminster; and the governors were strictly charged to prevent the statute being eluded. By this mean, the industry of the colonists was confined to very narrow limits, and was prevented from extending beyond the manufacture of such coarse household goods, as a family might make for its own use, or that of some of its neighbors in the same province.

Complaints being made by the court of France, of irruptions by the Indians in alliance with England, on the back settlements of the French in Canada, orders were despatched to lord Bellamont, governor of New-York, to forbid any act of hostility against the French in Canada, and to prevent the recurrence of the circumstances, which had caused the complaints of the court of France, that the Indians of the five nations should be disarmed, as far as he and the governor of Canada should deem proper, and his lordship was directed to live in good understanding with the French, till the commissioners, appointed under the treaty of Riswick, should agree on measures that would ensure a continuance of peace.

On the 21st of December, 1699, the board of trade reported to the king, that his attorney-general, upon the perusal of letters patent and conveyances, produced to him by doctor Coxe, had given it as his opinion, that the doctor had a good title to the province of Carolana, extending from the 31st to the 36th degree of north latitude, inclusive, on the continent of America, and several adjacent islands.

By this report, the king and his council unanimously agreed, that the doctor's design of settling his province, should be speedily encouraged and promoted.

His majesty told the doctor's son, he would leap over twenty stumbling blocks, rather than not to effect an English settlement on the Mississippi, and assured him, that he not only would receive public encouragement, but that six or eight hundred French refugees, or Vandois, would be transported there, at the expense of the crown, to join such of his subjects as could be induced to remove and begin a settlement thither.

Lord Lonsdale, the lord privy seal, was among the most distinguished patrons of this undertaking; he offered to assist the design with two thousand pounds sterling, or a ship of two hundred tons, with one hundred persons, of whatever trade or employment might be thought most convenient, and to provide them with provisions and necessary tools and instruments of agriculture, for one year. The death of this nobleman soon after, and that of his sovereign within a short period, put an end to the hopes of the doctor.

The coast of the continent, particularly that of Carolina, continued to be infested with pirates, who committed great depredations; several vessels belonging to Charleston were taken, and kept as prizes, and the crews sent ashore. A ship had been fitted out at the Havana, to cruise on the coast of Carolina, the crew of which was composed of Englishmen, Frenchmen, Portuguese and Indians; after a successful course of piracy, the motley crew quarrelled about the division of their booty, and the Englishmen, nine in number, being the weakest part of the crew, were turned adrift in the long-boat; they landed on Sewel bay, and proceeding thence to

Charleston, were recognized by the master of a ship which they had captured, and were taken up, tried and executed.

With a view to purge the sea of these marauders, parliament passed a statute (11 and 12 W. III. c. 7) authorizing commissioners appointed by the king, exclusively to take cognizance of piracies in proprietary governments in America: a forfeiture of the charter was denounced, in all cases in which the governors should refuse their aid to the commissioners. By a statute of the same year, (c. 12,) governors of the colonies, guilty of oppression or any offence against the laws, within their own government, were directed to be tried in the court of king's bench, in England, or before commissioners appointed by the king in any county in it.

In the month of January, the Rev. Mr. Blair, a minister of the church of England, was sent by lord Weymouth as an itinerant missionary, to reside in the northern part of the province of Carolina: his lordship allowed him a salary of one hundred pounds a year, and he is the first settled minister of whom an account has been preserved. He entered on the duties of his mission with great diligence; but the people were settled on so distant plantations along the rivers, that he was obliged to be continually travelling from place to place, which could not possibly be done without a guide, on account of the badness of the roads, the difficulty of finding the way, and the vast wilderness between the plantations, many of which were at the distance of forty miles from each other: the whole population not exceeding, at this time, five thousand souls, and the inhabited part of the country was about one hundred miles square. He was very useful in reviving a sense of religion among the

people, and during his stay an act of assembly was passed for building three churches. He found the labor of continual travelling, during the extreme heat of the summer, and the alternate and rapid vicissitudes of cold and heat during the remainder of the year, beyond his strength of body : he attempted to fix his residence in one of the middle precincts, and offered to officiate to those who would come to him, but the people were dissatisfied with this, and complained that he acted contrary to the wishes of lord Weymouth, who intended his charity for the whole colony. At length, he found it so difficult to give satisfaction, and to endure the hardships of his situation, that he returned to England, quite sunk with poverty and sickness.

This year, a society for propagating the gospel in foreign parts, was formed in England, and received the king's charter.

On the 16th of November, king James died. Louis XIV. gave to his son (since called the pretender) the title and honors of king of England. This was a tacit engagement to support this prince, in violation of one of the articles of the treaty of Riswick. King William became exasperated at it, and considered the conduct of Louis as a provocation to war. It must, however, be admitted, that the English monarch had not waited for this event to declare himself against France. In the beginning of the year, negotiations had been commenced between him, the emperor, and the States General, and had been concluded and signed a very few days before the death of James.

A rupture having taken place between England and Spain, governor Moore, of the southern part of Carolina, proposed to the legislature to undertake an expedi-

tion against the Spanish settlement at St. Augustine. The proposition was acceded to, and about nine thousand dollars were voted for the expense attending it : six hundred militia were raised, and an equal number of Indians engaged, and vessels impressed. The forces were collected at Port Royal, which was the place of general rendezvous, and in the month of September, the governor embarked with part of the forces, with a view to block up the harbor, and colonel Robert Daniel, a landgrave of the province, proceeded by land with the rest, to make a descent on the town. The colonel arrived, entered and plundered the town, before the vessels made their appearance, and the Spaniards seasonably retired to the castle, with their money and other valuable effects. Governor Moore, on his arrival, found it impossible to dislodge the enemy, for want of artillery, and despatched the colonel to Jamaica to fetch some : in the mean while, two Spanish men of war appearing, the governor raised the siege, and made a hasty retreat to Charleston.

About thirty thousand dollars were due to the troops, and the nine thousand voted by the legislature were expended. To meet the exigencies of the time, an act of assembly was passed, for the emission of paper money. In order to sink the bills, a tax was laid on liquors, skins and furs, which it was believed would enable the province to take up all the paper then put in circulation, in three years. This was the first instance of a paper currency in Carolina, and the second in the English American provinces. Two years after, a similar emission took place in the island of Barbadoes.

The proprietors of East Jersey and West Jersey, finding it difficult to govern their provinces, to the satis-

faction of the settlers, or their own interest, resigned the government of them to the crown : they were erected into one royal province, which was called New Jersey, and lord Cornbury was appointed the first governor of it.

On the 11th of March, king William died, and was succeeded by queen Anne.

On the demise of the king, the European possessions on the northern continent of America, were extended on the sea shore over almost all the country they covered at the declaration of independence. With the single exception of the province of Georgia, all the provinces that joined in this instrument, were now occupied. The reader has seen, that besides the pursuits of agriculture, navigation and commerce, a part of the settlers began to seek their livelihood by manufactures, and that their success had attracted the attention of the mother country, who, alarmed at the rapid advances of the colonists in this respect, had sought to check their enterprising spirit by parliamentary restrictions : and he must have viewed with interest and pleasure, the early development of that spirit of liberty and independence, which he will observe in the short space of three fourths of a century, bursting into a flame.

The population of the English provinces amounted, according to an enumeration made about two years before the present period, to two hundred and sixty-two thousand souls, nearly one half of whom were in that part of the continent known under the name of New England.

The French establishment of New France, in Canada and Acadia did not contain twenty thousand souls : they carried on a very extensive trade with the western Indians, from whom they obtained vast quantities of fur.

The settlement of Louisiana, was as yet confined to a fort on the bay of Biloxi, and a few scattered plantations near it.

The Spaniards had begun to occupy Florida, by other improvements than the erection of a few forts along the coast, to which they had confined themselves for a century, after their first occupation of the country; the settlements at St. Augustine and Pensacola, which at this day constitute almost the only portions of Florida as yet improved, were formed. Under the guns of the castle of St. Augustine, a small town had reared itself, a circumstance which evinces that some little attention was paid to agriculture in the neighboring waste.

The colony of Bermuda was in a flourishing condition.

In the West Indies, the French had a population, in three several islands, of three thousand whites and forty-five thousand blacks. There are no documents, from which the number of people in the English West India islands, can be ascertained.

The Spaniards possessed the islands of Cuba, Porto Rico, and one half of that of Hispaniola.

After these nations, no other had settlements in the West India islands.

Chalmers—History of South Carolina—Marshall.

CHAPTER XII.

One of the first acts of queen Anne's reign was a declaration of war against France and Spain: it took place on the 11th of May, 1702. The preamble of this instrument begins by a reference to the usurpations and encroachments of Louis XIV., who is stated to have taken and kept possession of a great part of the Spanish dominions, exercising an absolute power in that monarchy, having seized Milan and the Spanish Netherlands by his arms, and made himself master of Cadiz, of the entrance of the Mediterranean, and of part of the Spanish East Indies, by his fleets. It charges the French monarch with the design of invading the liberties of Europe, and to obstruct the freedom of the navigation and commerce of the world. It recites the late treaty of alliance with the empire, the States General and other powers, in which it is stipulated, that if the injuries complained of are not redressed within a certain time, now elapsed, the parties concerned shall assist each other, with their whole strength; and concluding with the real, the last, though not the least cause of the war, that the French king, instead of giving the satisfaction which he owed, had not only proceeded to fresh violences, but had added a great affront and indignity to the queen

and her kingdom, by declaring the pretender king of Great Britain.

The Apalachian Indians, excited by the Spaniards at St. Augustine, making frequent incursions on the western settlements of Carolina, governor Moore marched into the heart of their settlements, and laid waste their towns between the rivers Savannah and Alabama, and killed or captured several hundreds of the enemy.

Lord Granville was now the palatine of Carolina: though the form of constitution framed by Locke had for several years been set aside, the office of palatine and the dignities of landgrave and cacique were preserved as long as the proprietary government continued. The palatine, being a zealous member of the church of England, exerted all his influence to establish on a legal footing the worship of that church in the province. Accordingly, he instructed Sir Nathaniel Johnson, who succeeded governor Moore, to promote the passage of a law for this purpose. Another reason powerfully operated on the mind of Sir Nathaniel: the queen had opposed his appointment to the government of Carolina, on a suspicion of his entertaining sentiments unfavorable to the revolution, and had given at last her assent on condition of his qualifying himself for the office in the manner required by the laws of England, and his giving security, to the satisfaction of the lords commissioners of trade and plantations, for his faithful observance of the laws of trade and navigation, and his obedience to such instructions as she might from time to time give him. He was directed to appoint a deputy governor

for the northern part of the province: in disposing of land, he was instructed to require twenty pounds sterling for every thousand acres, and to make it a condition to be inserted in the grant, that the premises should revert to the lords proprietors, if not settled within four years; but, the most important object recommended to the attention of the new governor, was the establishment of the church of England in the province. Both parts of it were in a deplorable state as to religion; such of the inhabitants as were born, or had grown up to manhood, in Carolina, were almost utter strangers to any public worship of the Deity. Among the first emigrants, some sense of religion had been for a while preserved, but the next generation, reared in a wilderness in which divine service was hardly ever performed; and where private devotions cannot be supposed to have been much attended to, were rather remarkable for loose, licentious principles, and the fundamental principles of the Christian religion were often treated with the ridicule and contempt of professed infidelity. The population of the colony was composed of individuals of different nations, and consequently of various sects: Scotch Presbyterians, Dutch Lutherans, French Calvinists, Irish Catholics, English Churchmen, Quakers and Dissenters; emigrants from Bermuda and the West Indies, which, from their late settlements, could not be places remarkable for the education of young people, in Christianity and morality.

Governor Johnston, assisted by the principal officers of the southern part of the province, exerted

his influence with so much success, as to procure the election of a sufficient number of persons, disposed to forward his views.

Notwithstanding the great opposition which the bill received, it passed into a law. The southern part of Carolina was divided into ten parishes, and provision was made for the support of ministers, the erection of churches and glebes; and an act was passed, requiring members of assembly to conform to the religious worship in the province, according to the church of England, and to receive the sacrament of the Lord's supper, according to the rites and usages of that church.

The inhabitants of the county of Colleton, which was chiefly settled by dissenters, sent John Ashe, an influential character among them, and the grandsire of Samuel Ashe, who was governor in North Carolina in 1798, to lay their grievances before the lords proprietors. The governor succeeded in preventing this gentleman obtaining a passage in any of the ships in Charleston: he was compelled to travel by land to Virginia, where he embarked. On his way, he stopped in the county of Albemarle, where he was received with great respect and cordiality, and the people, feeling the same interest as his constituents in the object of his mission, prevailed on Edmund Porter to accompany him, in order to aid by the representations of the people of the northern part of the province, the object which the people of Carolina had much at heart.

The palatine received the emissaries of their lordships' vassals in America with considerable coldness. Unable to effect the object of his mission,

by his representation to the lords proprietors, John Ashe, finding the public sentiment in his favor, determined on raising it into action, by a candid representation of the grievances of his constituents; but death prevented the intended appeal. His papers fell into the hands of those who had an interest to suppress the expression of his sentiments.

Bent upon carrying the palatine's views into execution, governor Johnson overcame every obstacle in his way. A corporation, composed of twenty individuals, was instituted, with power to exercise high ecclesiastical jurisdiction. Authority was given it, to deprive ministers of their livings, and the acts of the legislature, of which John Ashe had gone to procure the repeal, were executed with great zeal and rigor. The dissenters were exasperated: a migration to Pennsylvania was spoken of, but it was at last determined to send Joseph Boon to England, with a petition to the house of lords. On the introduction of this petition, the house, on the motion of lord Granville, the palatine of Carolina heard counsel, at its bar, in behalf of the lords proprietors, and after some debate came to a resolution, that the laws complained of were founded on falsity in matter of fact, repugnant to the laws of England, contrary to the charter of the lords proprietors, an encouragement to atheism and irreligion, destructive to trade, and tended to the ruin and depopulation of the province. The lords next addressed the queen, beseeching her to use the most effectual means to deliver the province of Carolina from the "arbitrary oppression under which it lay, and to order the proprietors of it to

be prosecuted according to law." The subject was referred to the lords commissioners of trade and plantations, who reported, that the facts stated in the petition were true; that the powers granted by the charter, had been abused; that the grantees had incurred a forfeiture of it, and recommended that process might be ordered to issue accordingly against their lordships. The queen's law servants were thereupon directed to procure a writ of *quo warranto*, and to report what might more effectually be done, in order that the queen might take the government of Carolina into her own hands. The matter was, however, abandoned, and no step was taken to annul the charter, or relieve the people.

The French in Canada began new hostilities on the frontier: in the month of July, a body of five hundred French and Indians, in various parties, attacked all the settlements from Casco to Wells, and killed and took one hundred and thirty people, burning and destroying all before them.

Hostilities immediately began in the West Indies. Rear admiral Benlow took a Spanish man of war, carrying the governor of Carthagená. In the summer, he destroyed a number of French vessels in the West Indies, and sent captain Leake to Newfoundland, where he took or destroyed eleven French merchantmen.

In the month of March following, he attacked Guadeloupe, where he burnt several plantations, and drove the inhabitants from Basseterre; from whence he retired with a considerably booty.

On the 28th of February, 1704, Hertel de Neuville, at the head of a body of three hundred French

and Indians, surprised and burnt the town of Deerfield, in Connecticut, slew above forty persons, and made one hundred prisoners.

In the summer, colonel Benchurch sailed from Boston, with five hundred and fifty soldiers, destroyed the towns of Morris and Chebucto, and did considerable damage to the French and Indians in Penobscot and Passamaquoddy.

On the 13th of April, president Walker died, During his administration, we are informed by the stone that covers his remains, the province enjoyed perfect order and tranquility. On hearing of his death, Sir Nathaniel Johnson, whose commission extended now over the whole province, sent Robert Daniel, the officer who had seconded governor Moore in the late attack of St. Augustine, to succeed president Walker as deputy governor of the northern part of Carolina.

This gentleman had it in charge, to procure the establishment of the church of England by legal authority. The bill received great opposition, but the address of the governor secured its passage. The act provided, among other things, for a fine on any person holding a place of trust, who should neglect to qualify himself, by taking the oath required by law. This part of the province was now divided into parishes, and provision was made for the building of churches, laying out glebes, and providing for the maintenance of a clergy. The people, not quite so obsequious, as the members of the legislature had been, to the pleasure of governor Daniel, manifested an immediate intention to prevent the execution of the laws: the Quakers, who

composed a considerable part of the population of the precincts of Pasquotank and Perquimans, evinced a disposition to sacrifice the pacific principles of their sect, to the preservation of their rights. A union was formed with the dissenters in the southern part of the province, in order to convey to England their just complaints against such arbitrary and oppressive measures. Their petition was introduced, and strongly supported, in the house of lords, and the peers came to a resolution, that the acts of the legislature of Carolina, requiring conformity to the church of England, were "founded on falsity, in matter of fact, repugnant to the laws of England, contrary to the charter of the proprietors, an encouragement to atheism and irreligion, detrimental to trade, and tended to the depopulation and ruin of the province." Queen Anne declared them null and void.

The American colonies suffering greatly from the different value of coin, in the provinces, queen Anne, to create a uniformity, in this respect, this year issued a proclamation for settling and ascertaining the current rates of foreign coin, in her majesty's plantations of North America.

Parliament, this year, relaxed a little the restrictions of the navigation act, (15 Ch. II. c. 7,) which forbade the importation of any European manufactures to the plantations, except from England, and the Irish linens were permitted to be shipped from Ireland to the plantations, in vessels navigated according to law. 34 Anne, c. 8.

The importation of naval stores from the plantations to England was, at the same time, encouraged by a

bounty on tar, pitch, rosin, turpentine, hemp, masts, yards, and bow-sprits. 3 & 4 Anne, c. 10.

This year was printed the first American newspaper: it was entitled "The Boston News-Letter."

The Bishop of London sent Gideon Johnson, as his commissary for the province of Carolina. He was directed to make Charleston his place of residence.

Governor Daniel made a treaty of peace, at a general meeting of the chiefs of the different tribes of Indians, bordering on the settlement of the whites. By an article of it, inserted at the desire of the Indians, white traders were forbidden from supplying the Indians with rum. This stipulation was not, however, afterwards insisted upon: the young Indians threatened to kill the plenipotentiaries, who had proposed it, and they were allowed to have rum, when they went to the house of an Englishman to buy it.

The following year, the town of Bath, on Tar river, was established, by an act of the legislature, and the county of Albemarle was divided; the southern part being erected into a county, called Bath, composed of three precincts, Wickham and Pamplico, on Roanoake and Tar rivers, and Archdale, on Neuse.

Sir Nathaniel Johnston having appointed Thomas Cary deputy governor of the northern part of this province, the lords proprietors disapproved of his choice, and required that their deputies should from among themselves elect a president and commander in chief. William Glover was, accordingly, chosen. Cary yielded to this measure at first; but a few weeks after, supported by the influence of the Quakers, and surrounded by a rabble of profligate persons, possessed himself of the

records of the province, and resumed the reins of government.

Monsieur de Subercase, governor of Acadia, sent an expedition, to chase the English from Newfoundland. He was so far successful, that the trade of the island, was almost ruined.

In the following year, the city of Charleston was invaded. Monsieur Le Fevre, commanding a French frigate, having with him four armed sloops, and eight hundred soldiers, appeared off the coast. Governor Johnson, who had intelligence of his approach, had taken every measure necessary to resist the enemy. The alarm was immediately given, and the militia put under arms. The enemy hovered all night upon the coast, and anchored next morning near James Island. He employed the day in sounding the south bar, and this delay gave the governor time to call to his aid a considerable part of the militia from the country, and a number of Indians. The next day, the enemy passed over the bar, and cast anchor near Sullivan's island. Governor Johnson placed some great guns on board of a number of ships that were in the harbor, and gave the command of this little flotilla to William Rhett, a man of ability and spirit. The French commander now sent a flag to demand a surrender of the town, but was resolutely answered, it would be defended to the last extremity. The enemy now landed, and burnt several houses on James island and Bearsly creek. Another party went to Wando creek, to kill hogs and cattle. The governor now sent captain Cantry, with an hundred men, to watch the motions of these men. He crossed the river in the night, coming up with the enemy at break of day, and finding them in a state of imagined security,


surrounded and surprised them with a sharp fire, which completely routed them. A considerable number were killed, wounded, or drowned, and the rest were made prisoners.

Rhett, improving this momentary success, advanced with six ships upon the enemy, who precipitately weighed anchor, and sailed over the bar.

A few days after, the governor was informed that a ship of war was at Serra bay, and had landed a number of men. On this, he ordered captain Fenwick to cross the river, with his company, and march against them; while Rhett should sail round, and attack the enemy. Captain Fenwick came up with, and charged, the enemy, who, after a few volleys, retired to the ship. Rhett came soon after to his assistance, and the French ship struck, without firing a shot, and the gallant officer returned to Charleston, with his prize and ninety prisoners. Of eight hundred men, the French lost three hundred, in killed and captured: among the latter was Monsieur D'Arbussol, the commander of the land forces, with several of the sea officers. The loss of the Americans was trifling.

In the following year, lord Granville, the palatine, died, and was succeeded by the earl of Craven.

Since the assumption of government by president Carey, an end had been put to the administration of justice, and an entire anarchy prevailed. The most respectable part of the community adhered to president Glover, and with a view to an attempt to put an end to the disordered state of the colony, it was determined to submit to the decision of the general assembly, whether president Carey, or president Glover, should exercise the supreme power.



For this purpose, an election was ordered. In the precinct of Chowan, after the writ of election, issued by president Glover, was read, by Daniel Halsey, the deputy marshal, one Robert Fendall rose, and read a similar writ, issued by president Carey. The election went on, and five members were chosen. The votes were counted, and there appeared ninety-four votes for the members chosen, and sixty-five for another ticket. The successful candidates were all friends to president Glover's pretensions. Edward Moseley, the leader of the minority, bitterly complained of unfairness in the election, and made all the confusion he could.

On the 11th of October, the assembly met at captain Heckelfield's, on Little river. Nine members came from the precinct of Chowan, five of whom were returned by the deputy marshal as chosen by the majority. Robert Fendall returned those, as well as the five chosen by Edward Moseley's party, he being one of them. Of the latter, four only attended; the fifth, thinking his election illegal, staid at home.

The house began by ordering these nine men out, and after some debate, called in Edward Moseley's party, he being one of them, and ordered the other five to be forcibly kept out. They chose Edward Moseley speaker, and presented him as such to president Carey and his council.

The house consisted only of twenty-six members, including the five from Chowan precinct. Out of the twenty-one, eight were Quakers, who knew that president Glover would not suffer them to take their seats, without taking the oath: six were from the county of Bath, all under the influence of president Carey: two or three, of the remaining seven, were chosen by the

Quakers of Pasquotank precinct. So that the five members from Currituck precinct could not make any stand: some of them went away.

Then the instrument of writing, or commission from the lords proprietors, which John Porter had brought, was read, and the house came to a resolution, that the act passed during the administration of governor Daniel, laying a fine on any person holding a place of trust or profit, who should neglect to qualify himself, by taking the oath required by law, was by that instrument suspended.

President Carey and president Glover sat in separate rooms, with their respective councils; and Robert Daniel, as a landgrave, having a right to a seat in the upper house, sat alternately with either council.

President Glover sent a message to the assembly, by one of their body, informing them, that to settle the government, and to put the queen's laws into execution, it was necessary that the gentlemen returned should choose a speaker, qualify themselves according to law, and the house should purge itself of all unduly elected and unqualified members; for a reference had been made to the general assembly, not to any number of persons, met without authority. He observed, that, it was contrary to all law and reason, and in a very great degree derogatory to the queen's prerogative, and betraying the trust reposed by the crown in the lords proprietors, to submit the administration of the government to any number of men, howsoever chosen and delegated, even by the unanimous voice of all the inhabitants of the province, unless they should previously acknowledge their allegiance, which both the common law and statute required should be done by oath; a for-

mality which the queen had imposed, and the lords proprietors could not dispense with: for in doing otherwise, the government could be surrendered to the disposal of persons who were traitors to the queen, or maintained the rights of the pretended prince of Wales.

To such an assembly, he said, he would undertake to prove, 1. That he was the lawful president of the queen's council, and that the execution of the lords proprietors' commission belonged to him, and to no other person: 2. That Thomas Carey was not president, nor had been lawfully invested, or possessed, with any power of government, since his departure to South Carolina: 3. That, although the powers of government should be extinct in him (Glover) by death, or the command of the lords proprietors, Thomas Carey was not qualified to be elected to the office of president.

He added, that if the gentlemen now met assumed to themselves the arbitrary power of proceeding in any other manner, he, as president of the council, and commander in chief, charged and commanded all civil and military officers, and all the queen's loving subjects, to forbear aiding or assisting them, in the execution of such arbitrary powers.

He concluded, that as the assembly had rendered themselves incapable of deciding on the matter that was to have been submitted to them, he protested against all they had done, and would do, against him, or any act of his administration: and, because Thomas Carey had publicly threatened, surreptitiously, without any form of law, to take his life, and that of others who had assisted him in keeping the peace; he appealed to the queen, in her court, at Westminster, and offered himself as her prisoner, to be sent in chains, if the matter required it,

to the governor general of Carolina, in Charleston, and thence to England: provided, that Thomas Carey and John Porter, who had been the chief causes of the unhappy troubles that had distracted the country, should bind themselves, with sureties, to prosecute him there.

The message was returned to president Glover, by the member by whom he had sent it, who informed him he was instructed to say that the house should not concern themselves therein.


The Quakers would show themselves singular, coming to the table with their hats on, laying their hands on the book, repeating the words of the oath, using the word declare instead of the word swear, and then having their explanation of the sense or meaning in which they took it entered underneath, they subscribed, without kissing the book, and declared they took it in that sense, and no other.

The society for the propagation of the gospel in foreign parts, lately established in England, sent over this year the reverend Mr. Adams, and the reverend Mr. Gordon, to whom they allowed handsome salaries. The former took charge of the two eastern precincts, Currituck and Pasquotank; the other had under his pastoral care the two eastern ones, Perquimans and Chowan. The act for building three churches, passed under the administration of governor Daniel, had been partially carried into execution. Two churches had been built: the one in the precinct of Chowan was so small, and so inartificially put together, that the inhabitants talked already of building another. A better one had already been built in the precinct of Perquimans; both, however, were very small. The people in the precinct of Chowan were very ignorant; few of them

could read, and fewer, even among the better sort, could write; yet, most of them were serious and well inclined, and ready to embrace, both in public and in private, all opportunities of being instructed. The precinct of Perquimans, was chiefly inhabited by Quakers, and Mr. Gordon complained, that his flock in that part of the division, was ignorant and loose in their morals, and unconcerned in religion.

Mr. Adams gave a better account of his parishioners in the precinct of Pasquotank. In their way of living, he observed they had much the advantage of the rest of the colony, being much more industrious and careful, and above all, were to be commended for their order, seriousness and decency, during worship. The roads in their precinct, were worse than in the western ones; but it was more thickly settled: it contained thirteen hundred souls, nine hundred of whom, professed themselves members of the Church of England. The pastor considered this precinct as the principal branch of his division, and made it chiefly his residence. Currituck, the other precinct, including the Sound Banks, and a portion of the shore on the south side of Albemarle sound, was the least pleasant part of his district: it contained eight hundred and thirty-nine souls. The weather was damp and cold in winter, and the mosquitoes rendered the country extremely unpleasant, in summer.

The clergymen landed, with the belief that they should meet with great discouragement in their mission, and entered on the execution of its duties with great resolution, and received great countenance, from most of the persons, in the administration of that kind of government, which existed in the country.



In the following year, a considerable number of French Huguenots, who had emigrated to Virginia, on the repeal of the edict of Nantz, by Louis XIV., had settled near the Manakin towns, on James river, and came over, headed by Phillipe de Richebourg, a clergyman of their profession ; a number of them began a settlement on Trent river, near the spot, on which a toll bridge was afterwards built on that stream ; the rest removed to South Carolina, and formed an establishment on Santee river, which was afterwards made a parish, by the name of St. James.

Parliament this year, passed a statute, (6 Anne, c. 30,) for enforcing the due execution of the proclamation of the queen, of the 18th of June, 1704, to regulate the currency of foreign coin, in the several colonies and plantations in America.

Carey, as receiver of the quit rents, having neglected to settle his accounts, the proprietors, by an instrument of writing, which they sent by John Porter, one of their deputies, removed him from office, and ordered him to come over and give an account of his conduct; which he refused to do, and continued his opposition to the colonial government.

The depredations of the French in the palatinate, compelled the inhabitants to desert their country. Twelve thousand of them, in the most forlorn condition, sought refuge in London. The queen, for some time, supported them out of the privy purse. She was afterwards helped by the benevolence of her subjects, and twenty thousand pounds were subscribed and paid into the treasury of the city, for the relief of these fugitives, who were finally disposed of as colonists, in Ireland and

North America. Several of them came to Carolina, and Edward Tynte, who had succeeded Sir Nathaniel Johnston in the government of the province, was directed to grant land to them, in the county of Bath, the population of which was, as yet, very thin.

Christopher, Baron de Graffenreidt, a Swiss nobleman from the Canton of Bern, was at this time in England, with a considerable number of his countrymen, desirous of migrating to America.

The lords proprietors, considering that the value of their estate, in the province of Carolina, depended on its population, offered encouragement to the palatines and Swiss, in order to induce them to remove to Carolina. Ships were provided, and orders were given for the transportation of those, who offered to go and settle on the lords proprietors' lands.

The baron was created a landgrave. Louis Mitchell, one of the principal characters among the Swiss, had ten thousand acres of land allotted to him, on the rivers Neuse and Cape Fear, or any of their branches, at the rate of ten pounds sterling for every one thousand acres, and five shillings of quit rent. One hundred thousand acres were reserved for him, at the same price, provided they were taken within seven years. One hundred acres were given to every man, woman and child, free from quit rent for ten years.

This was a valuable acquisition to the northern part of the province. Besides a great number of palatines, fifteen hundred Swiss followed the baron. They settled chiefly on Neuse and Trent rivers; and for their accommodation, Thomas Pollock laid off a tract of land, at the confluence of Trent and Neuse, for a town, which in compliment to the leader of the Swiss, he called New

Bern; the city of Bern, in Switzerland, being the place of nativity of this nobleman.

The absence of a regular government, in North Carolina, now gave rise to great feuds and distraction; the partisans of president Glover, irritated by the persecutions they experienced from president Carey, sought a temporary refuge in the neighboring province of Virginia.

The missionaries complained, that these commotions retarded the progress of the gospel, and even encouraged the ridicule of its ordinances. They, however, persevered in their work, in the hope that the feuds might subside. Their expectations were disappointed, and Mr. Gordon despairing of being any longer useful, embarked for Europe, carrying letters from the principal inhabitants of the precincts of Chowan and Pasquotank, stating that he had discharged his functions with great fidelity among them, and indefatigably employed his time in promoting the interest of religion, in the colony.

In the month of October, Graffenreidt and Mitchell, contracted with the commissioners appointed by the queen, for the relief and protection of the palatines, to transport to North Carolina, a greater number of them. These persons received, each, twenty shillings in clothes, and five pounds ten shillings, were paid for their transportation and comfortable settlement; they were composed of ninety-two families, and Graffenreidt and Mitchell agreed to allow two hundred and fifty acres to each family, to be divided among them by lot, free from rent for five years, and afterwards, at the rate of one half per cent. Carolina money.

Provisions were allowed them for one year, payable at the end of the year.

Two cows and calves, a sow and pigs, two ewes and lambs, with a male of each kind, to each family, the value whereof was payable in seven years, with one half of the stock then remaining; tools and implements, for felling wood and building houses gratis.

In the month of December, these palatines arrived at the confluence of Trent and Neuse rivers, where they began a settlement, near that of the former.


The Rev. Mr. Adams, though much dejected at the departure of his colleague, resolved to make further efforts; but the public distractions could not be composed. The parties grew more and more embittered against each other; and, though he behaved with unbounded moderation and unwearied zeal, in his pastoral functions, he was compelled, wearied by the hardships he met with, to abandon the hope of doing any good, and determined to return to England, in 1710. His congregation bore testimony to his good conduct, and assured his employers, he had waded through every difficulty, under the vigilant eye of his most malicious enemy, without having been charged with any thing unbecoming a minister of Christ. As he was preparing to embark he fell sick and died.

In the month of August, Edward Hyde, who had been chosen to govern the northern part of the province, arrived, with instructions to governor Tynte, to commission him as his deputy. He found the governor dead: this circumstance left him without power, as he had no testimonial of his authority, except unofficial letters, from some of the lords proprietors to their deputies; but he was so successful in his endeavors to conciliate both parties, and the inhabitants were so anxious for some settled form of legal government, that

all the lords proprietors' deputies, without even the exception of Thomas Carey, solicited him to assume the supreme command, as president and commander in chief, until his commission as governor should arrive. He was, accordingly, appointed and sworn as such.

The adherents of president Glover received him with sincere, and those of president Carey with apparent, cordiality. The planters, who had sought a shelter from the political storm, in Virginia, now returned to their estates, and one of them, high in authority, in a congratulatory letter to the governor, on his arrival, hoped "that he would settle the religion, laws, and liberty of the province, on such a sure foundation, that they might not be trodden again by the Quakers, Atheists, Deists, and other evil disposed persons."

During the confusion, the white people were suffered to fall on the Indians, to redress their real, or pretended, wrongs, which was attended with direful consequences: for, although they succeeded by such means against one tribe, there were others that took the alarm, when they found that the English broke their faith with the Indians. Every act of violence was not attended with like success, and the next was made accountable for the want of success of the former. Hostilities began in the month of December. Some of the Meherrin Indians, fell on the most distant settlement, on Chowan river, and killed two or three individuals. It was a misfortune that the whites had been allowed to settle on land contiguous to the Indians. This ought to have been prevented, even when not objected to by the natives, on account of the difficulty of preserving a good understanding, between them and the whites, while they lived so near.



This summer, some galleys were sent to protect the coasts of Virginia and Carolina, which proved a great relief to those two colonies, laboring under daily alarms and terrible apprehensions, and discouraged by the frequent insults and depredations of the privateers of the enemy, and, often, vexed to stand the helpless spectators of their own losses.

In the winter, the Indians began their irruptions anew. "They," says a letter of a gentlemen in office, of the 25th of December, "daily gather strength, and have again besieged a party of inhabitants, in a small fort they had hastily thrown up for their protection. The distractions, among the white people, gave the Indians all the facility they could wish for destroying us. The late assembly appears to have resolved to sacrifice their country to their private resentments, and because they could not introduce into the government, the persons most obnoxious in the late rebellion and civil war, they will make no provision for defending any part of the country, and are now dissolved without doing any business."

Tranquility was now restored, and continued to prevail, till an election of representatives to the first assembly, under the new administration, took place. Carey's party having been unsuccessful, he protested against the legality of the authority, under which the election had been holden.

At the meeting of the legislature, a law was passed for securing his person, and that of some of his accomplices. Provision was made, for compelling him to account for the moneys he had received during his administration.

These acts are not extant at this day; but colonel Spotswood, then governor of Virginia, in a communication to lord Darmouth, secretary of state, observed, "they were too severe to be justified; and, indeed, showed more the resentment of the makers, for the injuries they had received, than their prudence in healing the distractions of the country."

On the adoption of these measures, Thomas Carey left his seat at the council board, and, repairing to the precinct of his residence, collected a party of armed men, at the head of whom, he bid defiance to the chief magistrate and the legislature. He fortified his house, entrenched it, and raised a battery, on which he placed some cannon. His success, in these measures of defence, emboldened him to act in the offensive. He caused himself to be proclaimed president and commander in chief, and by proclamation established a court of justice; and fitted out a brig, furnished him by a leading Quaker, armed it with six guns, and with her and a *barca longa*, filled with fusiliers, he sallied forth, and came to an anchor with his naval force, near a plantation, to which governor Hyde and his council had removed. On the appearance of this armament, an express was despatched to governor Spotswood, of Virginia, for assistance. The council of that province advised the governor to offer his mediation to both parties, and to endeavor to induce governor Hyde to procure a suspension of the acts passed against Thomas Carey, and the latter to suffer the administration of the government to proceed undisturbed, till the pleasure of the lords proprietors was known.

Governor Spotswood immediately despatched a man, well qualified for moderating the resentment of the par-

ties, with letters to governor Hyde and Thomas Carey. This mediator was well received, by governor Hyde and his council, who declared, that, for the peace of the country, they were ready to yield their assent to any terms that could, with justice and honor, be proposed. Thomas Carey made the same proposition; but an interview having taken place between the contending parties, on the suggestion of the mediator, he treacherously attempted, though without success, to secure the governor and his council, and make them prisoners. Enraged at his failure, he warned the mediator to return to Virginia; and avowed his determination, not to treat otherwise than with his arms.

A few days after, though the conduct of Thomas Carey was sufficient to show what little faith ought to be given to any treaty with him, or his party, the mediator went to him and urged him to declare what his demands were, and prevailed, with difficulty, upon him, to furnish a specification of them. At length, Carey produced a paper containing his proposals, of which he very unwillingly allowed a copy to be taken, which he refused to subscribe. These, with a very trifling alteration, were acceded to by governor Hyde and his council; but Carey still persisted in withdrawing from the terms of accommodation, and the mediator returned to Virginia.

Thomas Carey now increased his naval force, hoisted his flag at the topmast head of his brig, and came within gun shot of the house, within which, the governor and council sat. An express was again despatched to Virginia, to solicit some assistance of men and arms. The queen's council for that province, considering how difficult it was to foresee how far a party of such desperate

men, should they meet with success in their first attempt on the government of Carolina, might carry their disorganizing arms ; that the rebellion, excited a few years before, by general Bacon, had at first a much less dangerous appearance ; that the insurgents would probably endeavor to seduce their negroes, some of those, in the frontier counties, having been already carried away, to be employed on board of the armed vessel, advised governor Spotswood to raise the militia of the southern counties of Virginia, and send them to the relief of governor Hyde ; and application was made to the commander of the king's ships, in Virginia, for some boats to go round and attack Carey's shipping. Before any relief could be sent, Carey attempted the landing of some of his men, under the fire of his brig ; but they were repulsed by the militia of the neighborhood, which governor Hyde had time to collect. They returned on board, and their chief sought a safe retreat in the swamps of Tar river, where he raised his standard, and endeavored to bring the Tuscarora Indians into an alliance. For this purpose, he despatched to them Edward Porter, one of his council, who endeavored, by promises of great rewards, to induce them to cut off all the inhabitants of that part of the province, who adhered to governor Hyde. This was acceded to by some of the young warriors ; but when the matter was debated in council, the old men dissuaded them from listening to Porter.

Governor Spotswood, in a letter to lord Darmouth, complained of the reluctance he found in the inhabitants of the counties of his government bordering on Carolina, to march to the relief of governor Hyde. These counties were chiefly settled by Quakers, and he imputed their backwardness to the religious precepts of their sect,

especially, seeing that their brethern in Carolina were Carey's main allies, who, not only formerly, acted as his council, and openly supplied him with provisions, and an armed brig, but also took upon themselves military titles in the civil war.

Thomas Carey now retired to the house of one Roach, in Pamplico, which he fortified. This man had lately joined Carey, and was the supercargo of a ship just arrived from London, and he supplied the insurgents with trading guns and ammunition from her cargo.

In the month of July, Carey went to Virginia, where governor Spotswood caused him to be apprehended, in order to make him give security for his good behaviour. While under examination, Carey prevaricated so much, that governor Spotswood shipped him off, on board of a man of war, bound to London.

On the 18th of September, 1710, general Nicholson sailed from Boston, with thirty-six sail, for the reduction of Port Royal : he arrived on the 24th, and landed his troops without opposition : the French threw shells and bombs from the fort, while the English were making preparation for the attack, and a bomb ship in the New England fleet plied on them with her shells. On the first day of October, Subercase, the French governor, was summoned to surrender; a cessation of arms was obtained, and terms of capitulation were agreed upon and signed on the next day : the government of the country was given to colonel Vetch, and the fleet returned to Boston : the name of the town was altered from Port Royal to Annapolis, in honor of the queen.

A statute was this year passed by parliament, for establishing a general post office at New York, for the

plantations on the continent: the preamble states, that posts had been established on the main land in North America; that in her majesty's plantations, Portsmouth, in the province of New Hampshire, the northernmost, and Charleston in that of Carolina, the southernmost town, are mentioned in the statute. (9 Anne, c. 10.) A statute was also passed for the preservation of white and other pine trees, growing in the provinces of New England, New York and New Jersey, for the masting of the royal navy. (9 Anne, c. 17.)

In the following year, the society for propagating the gospel in foreign parts, sent the reverend Mr. Umstead, and the reverend Mr. Rainsford, to North Carolina: the former took his residence in the precinct of Chowan, and the latter in that of Currituck.

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CHAPTER XIII.

THE Indians did not always remain idle or unconcerned spectators of the feuds and dissensions that so long prevailed among the whites. The successive and regular encroachments on their plantations and hunting grounds, which an increase of European population did occasion, had not been always submitted to, without a murmur. Although the natives had been at first pleased with neighbors, from whom they could procure spirituous liquors and other articles, which tended to the gratification of their real or imaginary wants, they had viewed with some jealousy the frequent accessions of new comers, requiring at first the surrender of larger and larger portions of their domains, and at last, the removal of families and tribes, from the neighborhood of the bones of their ancestors, to more distant and less valuable tracts of land. Other causes of animosity and ill will had not been wanting: they were determined on securing the opportunity of attacking the whites, while their dissensions rendered them more easily vulnerable. In the beginning of September, they concerted the plan of a sudden and simultaneous attack of every settlement in the colony.

The Tuscaroras were the principal and the most numerous of the tribes that joined in the conspiracy: they undertook the attack on the plantations on Roanoke, and

from that river to that of Pamlico: the Indians who lived on that river, and from whom it received its name, were charged to fall on their more immediate white neighbors: the Cothechneys, who dwelt in that part of the province now known as the county of Greene, engaged to come down and join the Cores, in an irruption on the settlers along Neuse and Trent rivers: and the Mattamuskets and Matchapungos undertook to fall on the plantations in the neighborhood of the town of Bath. Notwithstanding the very great number of individuals, of different tribes, to whom these arrangements must have been made known beforehand, the secret was not betrayed by any. The Tuscaroras, whose principal town had been surrounded by a high pallisade, sent thither their women and children. From thence, on the day preceding the new moon, twelve hundred warriors secretly marched in numberless divisions: detached individuals were sent to reconnoitre, and entered the habitations of the intended victims. under the mask of friendship; towards night, larger squads appeared, seemingly in quest of provisions. Pretending to be offended, they abused the planters, and at the first, and often before the least, sign of resentment, gave a whoop, and being instantly joined by others from the neighboring woods, began, in indiscriminate slaughter, murdering the grandsire and the father, the aged granddame, the lad, the virgin, and the sucking infant that clung to the bleeding bosom of the mother. One hundred and thirty persons, thus fell on the eleventh of September, in the settlement on Roanoke. Most of the Swiss and palatines, who had flattered themselves with having found, in the deserts of the precinct of Craven,

an asylum against distress and oppression, fell under the tomahawk or the knife. The French Huguenots, in the town of Bath, and the planters around it, were inhumanly slaughtered; the houses and cabins were set on fire, and by the glare of the conflagration the unrelenting foe sought for new victims; with a lighted pine knot in one hand, and the tomahawk in the other, the Indians of each party marched through the woods to a common center, hunting, in drunken gambols, for the few white men who had escaped the desolation of their settlements; they divided themselves into new parties, and scoured the country to the east of Chowan river, and the north of Albemarle sound; the carnage was continued for three days, and did not finish till drunkenness and fatigue disabled the savage foe from further action.

The few colonists, whom fortune favored in their escape, assembled, and for a long time, under arms, guarded their women and children, till assistance could be procured from the southern part of the province, and the neighboring one.

A few days before the massacre, the baron of Graaffenreidt and Lawson left Newbern, attended by a negro, with a view to ascend the river Neuse, to explore the land on its banks: having proceeded to a small distance, they landed to pass the night, and were approached by two Indians, who were soon after joined by about sixty more, well armed: this induced them to return to the boat, to proceed farther up, where they were followed by the Indians, who took from them their arms, provisions and baggage, and compelled them to march with them all night to a considerable distance from the

river, where they were given up to the chief of a village : a council was held, and it was determined to summon the inhabitants of the villages in the vicinity, to decide on the fate of the prisoners. About two hundred Indians met, and forty of them were chosen to compose the council, who strictly examined them on the object of their excursion : they answered, that their intention was to seek a better and shorter road to the plantations of the whites in Virginia, that on the north side of Albemarle sound being distant and bad. The Indians complained much of the conduct of the English, and particularly of Lawson, who, as surveyor general, was instrumental in depriving them of their land. Finally, the council determined on his liberation, and that of Graaffenreidt. However, on the next day, an Indian, who understood English, complained to the others, that the prisoners had spoken disrespectfully of the Indians, and three or four of them fell on them, beat them in a furious manner, and forcibly dragged them back to the village, where the council sat again, and determined on putting them to death.

On the following day, the victims were taken to a large field for execution ; their wigs were thrown into a large fire, and they were stripped and compelled to sit down before it : flowers were strewed on them. In this situation, they were kept the whole day and succeeding night : at sunrise, a great number of Indians were collected, to the amount of three hundred ; behind the prisoners was a party who guarded them, and on each side sat the chiefs in two rows ; behind these, were the rest of the Indians, jumping and dancing like so many devils, and cutting a variety of infernal and obscene

capers The council again deliberated, and Graaff-reidt turning to them, asked them whether no mercy could be shown to the innocent, and with what propriety they could put to death the governor of the palatines : one of the Indians made a long and vehement harangue, which softened the hearts of a majority of the council, and it was determined to spare the baron. Lawson and the negro were now put to death, with incredible tortures : his spared companion was detained five weeks in captivity, and at last released.

On the first intelligence of this sad calamity at Charleston, the legislature, with a cheering alacrity, equalled only by the necessity which called it into action, appropriated eighty thousand dollars to the relief of their suffering brethren. Six hundred militia, and about three hundred and sixty Indians, were detached, under the orders of colonel Barnwell.

Governor Spotswood, of Virginia, on the first account of the disaster, sent a detachment of the militia to the tributary Indians of his province, to prevent them joining in the war ; and understanding that the Indians, in some of the Tuscarora towns, had refused to march against the whites, sent messengers to invite them, with the rest of the friendly tribes, to a conference, at the Nottoway line, on the southern border of Virginia, where he met them on the 7th of November. He had drawn together at that place the militia of the three southern counties, amounting together to sixteen hundred men. Three of the Tuscarora chiefs arrived just as he was mustering this force, and was not a little surprised to find such a large body of men, in good order and discipline. The governor, after entering into some con-

versation with the chiefs, had the pleasure to find the report which his messengers had made, from their observations, while in the Tuscarora towns, that they were very desirous of continuing in peace, and were greatly concerned, that any of their nation should have joined in the massacre. He then proposed to them to carry on the war, against the Indians who had commenced it, and to join the queen's subjects in North Carolina, for the extirpation of the assassins ; and that for the purpose of giving some assurance for their future good behaviour, they should deliver two children of some great men in each town, who should be educated in the college. The chiefs replied, that they were not authorized to conclude any thing, without the consent of the rest of the nation ; they desired time to inform their towns, and promised to return on the 20th. The legislature of Virginia, which sat soon after this, addressed the governor, to request that war might be immediately declared against the Indians who had been concerned in the massacre, and voted twenty thousand pounds for carrying it on ; and the queen's council unanimously advised, that the necessary preparations should be made for carrying on the war ; and that if the Tuscarora chiefs returned, as had been promised at Nottoway, their alliance and co-operation should be accepted. The chiefs were detained, by the badness of the weather, and the indisposition of two of them, beyond the appointed time : the governor entered into a conference with them, at which the house of burgesses was present. The chiefs, after accounting for the delay that occurred, expressed the desire of the Indians of their towns, to continue in strict friendship

with the whites, and assist them in chastising the authors of the late disorder.

But now an unfortunate difference arose between the governor and the house of burgesses, the latter insisting on the passage of a bill for raising an army in Virginia, without trusting to the sincerity of the profession of the Tuscarora chiefs. The governor refusing to accede to this proposition, the house declined to co-operate in his plans. The dispute ended by a dissolution of the assembly.

Governor Spotswood, in his report of this transaction, to the lords commissioners of trade and plantations, charges the house with want of sincerity, in their proffer of aid to the sister province. "Had they," said he, "really intended to carry on the war against the Indians, they could not have done it in a more frugal way, than by the treaty I concluded with the Tuscarora chiefs. Although this was entered into at the instance of their own house, they have made no provision for enabling me to perform the terms of it. Indeed, some of that house, since the dissolution, owned more freely, than they would do while sitting, that most of the irregularity of their proceedings are owing to some rash votes, passed without foresight, which they could not afterwards get over, without breaking the rules of their house: and so they chose rather to let the country suffer, than to own themselves in an error. The conduct of the late assembly will, in all probability, give a new turn to the humour of the people, and make them choose for their representatives men of more generous and disinterested principles: but I shall first see

some sign of this disposition, before I call a new assembly."

The baron and Indians entered into a treaty of peace, by which it was stipulated that, in case of war between the English and the Indians, the palatines should remain neutral: that no land should be taken up for, or by, the baron, without the consent of the Indians: that there should be a full freedom to hunt in the open country: and that a commercial treaty be entered on, so that justice might be done to the Indians, in the trade carried on with them.

Graaffenreidt was five weeks a prisoner, and during that time the palatines were called out, to defend the country, from Edenton. He was, however, soon after retaken. and carried to Virginia.

Apprehensions were entertained that the French, who traded among nations of Indians, not very remote, would find means to unite these Indians with the Tuscaroras, and furnish them with arms and ammunition. The province was ill supplied with the means of encountering an enemy, not otherwise to be reduced, than by a continued pursuit through the woods and deserts; a fatigue which the people were not able long to endure, without the conveniency of tents, to secure them from the weather.

Governor Hyde called out as much of the militia of North Carolina as he could command, but the people had been so long accustomed to resist government, that few could be brought to any order or discipline.

Colonel Barnwell, with his small army, expeditiously crossed the extensive and dismal wilderness,

which then separated South and North Carolina. On his arrival on Neuse river, he was joined by such a portion of the militia of the colony as could be spared from the necessary service of guarding the helpless part of the inhabitants. The Indians, on the first intelligence of the approach of this succour, had chiefly collected their strength into one body. Colonel Barnwell soon came up with them, and pursued them to the upper part of the present county of Craven, where they erected a strong wooden breastwork, on the shores of Neuse river, at the distance of about eighteen miles to the west of the town of Newbern. After a short stay there, having received some reinforcement to their number, they marched out to some distance, but were attacked with much bravery by the forces of South Carolina, and defeated with great slaughter. Upwards of three hundred of them were killed, and one hundred made prisoners. The number of the wounded was not ascertained. The rest retired into their strong hold, where they were surrounded, and after sustaining great loss, sued for peace, which, it is said, was too precipitately granted by colonel Barnwell.

“In all probability,” said a gentleman in high authority, in an official communication to the lords proprietors, two years afterwards, “if colonel Barnwell had done his part, though some of his Indians left him, the war would have been at an end before this time: for colonel Mitchell, a Swiss gentleman, who came in with the baron de Graffenreidt, having continued to draw the trenches within eleven yards of the Indian fort, raised a battery, in which he had placed two large guns, and collected a quantity

of light wood and brush between the end of the trenches and the pallisade of the fort. The Indians within, who were all those concerned in the massacre, would have surrendered unconditionally, if a shameful capitulation had not taken place.

“The storming of this fort, which contained the greatest part of our enemies, would have so much dispirited the rest, that they would have complied with our own terms, and abandoned the country, and our people would have been encouraged by the capture of so many slaves.”

Colonel Barnwell returned to Charleston soon after the surrender of the fort. It was called after him; and the remains of it, which are at this day visible, still retain his name.

In the month of May, governor Hyde received his commission from Henry, duke of Beaufort, the palatine, bearing date the 24th of January preceding, and he was qualified under it on the 9th of May. His instructions required him “to use with all gentleness those who were deluded, and with a little severity those who were concerned in the late disorders, as was consistent with law and justice. And, as it must of necessity have happened, that, during the commotions, some unfortunate persons should have suffered much in their estates, the lords proprietors desired that restitution might be made to them, if possible, to the full, and if that could not be, as far as the governor could.” He was further required to send to the lords proprietors as exact an estimate as he could make of the sufferings of the people. He was authorized to dispose of vacant land, in tracts of six hundred and forty acres each, at the rate of one pound

sterling for every hundred acres, subject to a quit rent of one shilling. He was directed to forward copies of all the proceedings of his government to the lords proprietors, by the way of the province of Virginia, or the island of Barbadoes. His title was governor of that part of the province of Carolina, which lies to the north and east of the river of cape Fear.

The other principal officers of the province were, at this time, Christopher Gale, chief justice, Edward Benwick, attorney general, Daniel Richardson, receiver general, Anthony Stafford, surveyor general, and Tobias Knight, secretary of the province.

The expenses of government did not cost the proprietors more than three hundred and eighty pounds sterling a year; two hundred of which were paid to the governor, sixty to the chief justice, and forty to each of the attorney general and secretaries in the province and in England.

In pursuance to his instructions, governor Hyde issued a proclamation of pardon, in favor of all persons concerned in Carey's rebellion, except Thomas Carey, Emmanuel Law, John Porter, Edmund Porter, and William Tittel.

The assembly sat on the 12th of March. A messenger was sent to the Sapona Indians, to procure them to join the province against the Indians in arms, and to promise them protection in the mean while for their women and children. Forts were directed to be built at Core Sound and at a Mr. Reading's, on Tar river: the first was to have a garrison of thirty men, and be called Fort Hyde, the second to be garrisoned by ten men only.

On the application of governor Spotswood, the Indians, in whose town in Virginia the baron de Graffenreidt was detained as a prisoner, released him, and he was permitted to return to Newbern : the palatines and Swiss, who had escaped the massacre, were permitted to join him, after he had engaged his word, that he and they would remain perfectly neutral during the war : he lived undisturbed by the Indians, but was persecuted by the whites, for not breaking peace with their common enemy : yet, they would not supply him with provisions or ammunition, though no doubt was entertained of his willingness to carry on the war, if the means were supplied, for it were madness in him to expose himself and his countrymen to the fury of the savages, without some better assurance of help, than that which the confused state of the colony held out, as the Indians would soon destroy his settlement, or compel him to abandon it, by killing his cattle and preventing the planting or raising any corn. The colony, however, derived great advantage from his neutrality, as it enabled him to discover and communicate any plan of attack, at the risk of paying dear for it.

On the 12th of June, James Fenton was sent to Charleston, to solicit a further aid.

In the summer, disease added its horrors to the distresses of the war : an epidemic, of the kind of those which have since ravaged, in the summer, the sea port towns of the United States, and are known by the appellation of the yellow fever, scourged the few inhabitants who remained ; men fell like leaves in autumn : on the eighth of September, governor Hyde became a victim of it.

On the 12th, the lords proprietors' deputies made choice of Thomas Pollock, the deputy of lord Carteret, as president and commander in chief. This gentleman, in his first official communication to their lordships, after his election, describes the situation of the country in the following words :

“ The people of this government are greatly impoverished ; the inhabitants of Pamlico and Neuse have most of their houses and household goods burnt, their stock of cattle, horses and hogs, killed or carried away, and their plantations laid waste by the Indians ; they are obliged to secure their families in forts, and we, who live on the south and south-west of Chowan river, are under the same necessity. The farmers of the county of Albemarle have to supply the whole of the county of Bath with grain, not only for the use of the inhabitants, but also for the support of their own militia, which they have sent thither, and of the forces that are come from South Carolina. By this mean, their trade is ruined, and the vessels, that are come into Albemarle sound, of late, have not been able to procure any loading, except a few barrels of tar, so that the people have not wherewith to pay their debts ; few can procure clothing for their families.

“ The province is very largely in debt, for the pay of the militia, which has been kept in actual service, for arms, ammunition, provisions, and the expenses of sending expresses to the neighboring governments.

“ The war with the Indians still rages ; disobedience to the constituted authorities, and intestine divisions, still prevail among us. The want of the means of discharging the arrearages of pay due to the men who are out, is a serious cause of discontent, perhaps the greatest mis-

chief of all : for albeit, an act was passed by our legislature, at their last session, imposing a penalty of five pounds on those who refuse to march against the Indians, when called out, yet few men could be induced to leave their homes ; and although governor Hyde, a short time before his death, attempted to levy this penalty, he found but few persons willing to assist in putting the law into execution.

“ We have now no more than from one hundred and thirty to an hundred and forty men on Neuse river, under the orders of colonel McKee and colonel Mitchell : these officers cannot attempt any thing with this handful of men : they, however, expect a reinforcement from South Carolina.

“ Some of the Tuscarora chiefs have lately been with governor Spottswood of Virginia, and pretend a great inclination to peace : they are again to be with him on the 26th of this month : we are to send two agents to meet them there. Mr. Tobias Knight and major Christopher Gale, not from any expectation that the governor will make any treaty for us, for that would be dishonorable to your lordships, and make us appear contemptible in the eyes of the Indians, but with a view to hear what they have to propose. I believe, however, that this pretended desire for peace is only a scheme, to gain time until they can gather their corn, secure it in their forts, and see whether they are to have any assistance from the five nations.

“ Your lordships may see,” continues the president, “ what difficulties we are placed in : our enemy strong, numerous, and well provided with arms and ammunition : our people poor, dispirited, undisciplined, timorous, divided, and generally disobedient, without arms

or ammunition; the few who are willing to turn out, unable to procure their pay, cannot obtain necessary clothing, to support the severity of the weather in the woods; if the legislature of South Carolina had not assisted us with their militia and Indians, Neuse and Pamlico would be entirely deserted, and probably a great part of the county of Bath."

The communication concludes, by conjuring their lordships to consider, that "the people, who undergo these distresses, are Christians, the subjects of the queen and the tenants and vassals of the lords proprietors, venturing their lives and spending their estates in the defence of the province, and to lose no time in forwarding a supply of arms and ammunition."

In a letter of a later date, to lord Craven, one of the lords proprietors, president Pollock attributes the calamities that desolated the country, to "the machinations of the Quakers." "Our divisions," says he, "chiefly occasioned by the Quakers and some other ill disposed persons, have been the cause of all our troubles: for, the Indians were informed by some of the traders, that the people who live here are only a few vagabonds, who had run away from other governments and settled here, of their own accord, without any authority; so that, if they were cut off, there would be none to revenge them. This, with their seeing our differences rise to such a height, that we, consisting of two counties only, were in arms one against another, encouraged them to fall upon the county of Bath, expecting it would have no assistance from this, nor any other of the English plantations. This is the chief cause, that moved the Indians to rise against us, as far as I understand."

“The Quakers, with their adherents, have been a great occasion of the war: for they, with two or three persons, (not in such posts of profit or trust in the government as they desire) have been the chief cause that the war has not been carried on with the vigor it ought to, by their disobedience to the government, and the encouragement they gave others to imitate them. In some of the precincts, being the most numerous in the election fields, they chose such members of the assembly as would oppose what was necessary to carry on the war. The generality of the people, seeing that the Quakers, from their disobedience and opposition to the government, rose actually in arms, and attacked the governor and council, without any manner of punishment, were emboldened to do the like, and seemed to want a leader only, to raise another insurrection.”

President Pollock, a few days after his election, received information from Charleston, that the legislature had directed governor Craven to send one thousand Indians and fifty white men, to the relief of the inhabitants of the county of Bath, under the orders of colonel James Moore, a son of the late governor Moore, of South Carolina: governor Craven, in conveying this intelligence to president Pollock, assured him he was so anxious to expedite this succour, that he would march with it, as far as the boundary of the two settlements.

The legislature of the province of Virginia appropriated a sum of three thousand five hundred pounds, to be laid out under the direction of governor Spotswood, in assisting the people of Carolina in carrying on the war; and a further sum of six hundred pounds, was ordered to be invested in blankets and coarse woollen clothes, to be immediately forwarded for the use of their troops.

Tom Blunt, the headman of the Tuscaroras, with the chiefs who were to meet the commissioners of North Carolina, at governor Spotswood's, instead of attending there, came to president Pollock, to induce him to consent to a termination of hostilities, and the restoration of trade. The president utterly refused to listen to him, unless he would engage to bring Hancock, a chief of his nation and his kinsman, who had been one of the contrivers of the late massacre, and cut off and bring the scalps of six other Indians, who had been uncommonly active in it. He promised to do so, and begged some ammunition for that purpose. The president refused to supply him with any, unless he would bring twelve hostages, from each of his towns or forts. He appeared satisfied with this proposal, and said he was sure of the assent of some of his towns, and hoped for that of all. He went away, promising to be back by the middle of October, when he would accompany the colony's agents to Virginia.

At the appointed time, he appeared with fifteen of his men, saying, he had been in pursuit of a party of the Cothechney Indians, on the north side of Pamlico river; that one of his men had seen Hancock there, but accompanied with such a number of his adherents, as precluded the hope of securing him; that he was going with a large party in quest of him, and would hunt with them in his company, in order to catch the opportunity of finding him alone, and after he had secured and brought him, he would go to Virginia. The president gave little credit to the promises of a man capable, from his own account, of acting with so much treachery to one of his own nation, his kinsman too, but concealed his distrust, lest the Indian, finding that he had nothing

to hope, should join the rest of the Tuscaroras, against the whites.

On the 25th of November, however, preliminary articles of peace were entered into, between the president and council, and Tom Blunt, Saroonah and four other headmen of the Tuscaroras.

The Tuscaroras promised to make war against the Cothechneys, Core, Neuse, Bear river, and Pamplico Indians, and not to give quarter to any male individual of either of these tribes, above the age of fourteen, to capture and sell to the English, all those of and under that age; and that as soon as these tribes were destroyed, or sooner, if it were desired, they would join the English in an attack on the Matchapongos.

They engaged to surrender all the prisoners, arms, horses and negroes, taken from the English, and to forbear hunting or ranging near the plantations or stocks of the English, without leave, or with it, in a larger number than three at any one time, and to relinquish all claims to the land on the south side of Neuse river, below Cothechney and Bear creeks, on the north side of Pamplico river.

They bound themselves to pay, after a general peace, such a tribute, as should be agreed on, and that, in the meanwhile, no further injury should be the cause of hostilities, that should not be redressed by satisfaction, assessed by persons appointed for that purpose.

They agreed to deliver, at the house of the president, before the next full moon, six of the principal women and children from each town, as hostages, unless, before that time, they had destroyed the enemy.

Lastly, they promised to endeavour to bring alive to some of their towns, ten Indians named in the treaty,

who had been the foremost in the massacre, and to send runners to fort Reading, who were to give two whoops and show a white cloth, as a signal, and to pilot such persons, as might be sent from the garrison, to see execution done on these murderers.

The reinforcement from South Carolina, under the orders of colonel Moore, reached Neuse river a few days after the signature of these preliminaries : the provisions in that neighborhood being quite exhausted, the president requested the colonel to march his men into the county of Albemarle, where they could refresh themselves and wait till supplies could be sent round. This increase of numbers, in the northern part of the colony, was productive of great inconvenience and murmur ; the planters loudly complained of their inability to provide for their guests. The South Carolina Indians grew so unmanageable, that many of the inhabitants of the county of Albemarle showed more disposition to turn their arms against those troublesome allies, than to march with them against the common enemy.

With the view of ascertaining whether any dependence could be placed on the promises of Tom Blunt, no order was given for the march of the troops into the county of Bath, until the middle of January.

On their way thither, they stopped at Fort Reading, on the south side of Pamlico river, where they were detained, by a very heavy fall of snow, till the 4th of February. The enemy, on the first intelligence of colonel Moore's approach, sought their safety in flight, and finally entrenched themselves in Fort Nahucke, which they had built, at no great distance from the spot, on which the court house, of the county of Greene, now stands. On the 20th of March, the colonel laid siege

to, and in a few days became master of it. On its surrender, eight hundred prisoners were made. The loss of the Indians, in killed and wounded, was great; but no materials exist, by which it could be ascertained. Colonel Moore had twenty-two whites, and thirty-six Indians, killed, and twenty-four whites, and fifty-six Indians, wounded. The South Carolina Indians, secured as many slaves among the Indian prisoners, as they could, and made the best of their way towards Charleston. One hundred and eighty of them only, remained with their commander. Colonel Moore, in making his report of the siege, to the president, tendered him the continuance of his services, and offered to retain his small force, in the settlement on Neuse river. The president judged it of the utmost importance, that the blow should be vigorously followed up, to the utmost of the power of the colony, till the enemy was compelled to submit, which was likely to happen soon, as the Indians were greatly dispirited by their late defeat; and were now convinced how little dependence they could place in their forts. He called a meeting of the council, for the 15th of April, and requested colonel Moore to attend, in order to afford them the benefit of his sentiments.

This year, a violent storm opened a new inlet, about a mile south of the old one, (Currituck) since which, the latter river entirely choaked up, and grew smaller and smaller every day.

On the meeting of the council, it appeared that the stock of provisions in the possession of the colony, consisted of only eight hundred bushels of corn, and thirty-two barrels of meat. The most sanguine did not believe, that the greatest efforts could procure more

than fourteen hundred bushels of corn; in addition thereto, governor Craven had written that he would send two or three hundred Indians more. This force, added to that under the orders of colonel Moore, was not sufficient to pursue the Indians with effect; and if a greater number could be obtained, there was no probability, that the colony could afford them subsistence; few farmers having corn enough for the use of their families till harvest. The council were of opinion, that the colony being unable to enter into a new campaign, it was best to make an honorable peace, if possible, while the smart of the last blow was still fresh.

The definitive treaty was, accordingly, concluded. Tom Blunt was, in consequence of his fidelity, and the services rendered to the English, made and acknowledged, king and commander in chief of all the Indians, on the south side of Pamlico river, under the protection of government; and a firm and lasting peace, with him, and all the tribes that might acknowledge him as such, was declared. On his part, he engaged to deliver up twenty of the chief contrivers of the massacre, to be named by government. He promised to pursue to destruction, the Cothechneys, Matchangos, and all other tribes, at war with the English, and bound himself to attend the next legislature, with three hostages from each of his towns.

The council obtained from him information that the Indians who were not in Fort Nahucke, had retreated to Fort Cahunke; at the distance of about forty miles to the south west of the former, and hearing of the surrender of Fort Nahucke, had abandoned the fort and had scattered; the greater part of them going up Roanoke river. Conaquani, a Tuscarora chief who had

lately returned from Albany, where he had attended a meeting of the English commissioners, was endeavoring to dissuade Tom Blunt from making peace, telling, him the English were amusing him with fair words, to keep him from doing any mischief; but that, when they would have destroyed the rest of his nation, they would in turn, fall upon him. The desire of having on the frontiers, friendly Indians, who might guard the distant plantations, from the insults of straggling parties; and the consideration, that, if Tom Blunt attended the legislature, according to his promise, and the treaty was confirmed by them. there would only be the Cothechneys, Core, and Matchapungos to reduce, the motives that induced the council to offer these terms.

A party of the Matchapungoes, in the last days of the month of April, fell on the western part of the precincts of Currituck, on Alligator river, and killed twenty white inhabitants: and colonel Moore sent a party of his Indians to protect that settlement.

The legislature met early in the month of May. Tom Blunt, attended with his hostages, and the treaty made with him, by the president and council, was confirmed. In settling the claims on the public treasury, to which the war had given rise, the ordinary resources of the colony appeared quite insufficient. Recourse was had to the press: an emission of bills of credit, to the amount of eight thousand pounds, was issued, and a law was passed, making the bills, then already in circulation and those now to be emitted, a tender in discharge of all sums, due on contract, for rated commodities.

This is the first emission of a paper currency, in North Carolina; and there are no means of ascertaining,

whether the bills that were in circulation, before this time, were some of those that had been emitted in the southern part of the province, since the year 1706, after the return of the expedition against St. Augustine. It appears that the bills were not made a tender in all payments, but only in case of contracts, made in rated commodities. The extreme scarcity of the precious metals, had thus early taught the inhabitants, to substitute the contract of barter for that of sale, and rate the principal articles of the produce of the country, by a legal tariff, so that payment might, in all cases of barter, be effected by the delivery of any kind of produce, the debtor might offer. Contracts, for the payment of money, were not affected by the new act. From that day to the present, the experience of one century has not enabled the people to carry on ordinary dealings between man and man, without the aid of paper money.

Immediately after the adjournment of the legislature, colonel Moore sat off for Pamplico, in order to collect his Indians, whom he had ordered to range on the lands of the Tuscaroras, with a view to watch their motions, and to obtain the earliest intelligence, in case of their embodying for a new attack. The colonel marched with them against the Matchapungoes, who occupied that part of the country, which is now known as the county of Hyde; and president Pollock sent a body of militia by water, to effect a descent on their lands. On the approach of these forces, the Indians sought a shelter in the Dismal Swamp, a vast desert, one hundred miles in length, and of considerable breadth, full of lakes and quagmires, in which it was impossible for the whites to follow them: they had with them, portable canoes, with which they reached its most distant extremities.

Colonel Moore's Indians were of peculiar service on this occasion: they hunted out the foe, made several prisoners, and brought a considerable number of scalps.

From thence, the militia and allied Indians, marched to that part of the country, near which, the present town of Beaufort stands, where they vigorously attacked and despatched a party of the Core Indians, who were lurking about on the south side of Neuse river, occasionally destroying the settlers, about the town of Newbern, or crossing the sound, joined the Matchapungoes, in their irruptions on that of Bath. Colonel Moore destroyed a great number of canoes, which they had collected, burnt their town and laid their plantations waste.

In the latter part of June, the Tuscaroras, who had again occupied Fort Carunche, evacuated it and joining the rest of the nation, on Roanoke river, abandoned Carolina. They migrated northerly, towards Canada, near the south east end of lake Oneida, on the shores of which they settled. They were admitted into the confederacy of the five nations, which, from this time, were known by the appellation of the Six Nations: the Tuscaroras becoming the sixth member in the union.

Of the thousand Indians, who had accompanied colonel Moore from Charleston, one hundred only, were now with him. In the latter part of the month of August, the Matchapungoes and the Cores, having sued for peace, Tom Blunt, and the few individuals of his nation, who had remained behind, continuing tranquil, and forming a sufficient barrier between the back settlements and the Cothechneys, colonel Moore returned, by water, to Charleston.

“The differences and divisions among the people,” said president Pollock, in a letter to lord Carteret, of the 15th of October, “have, in a manner subsided; most of our enemy Indians killed, taken, submitted, or fled, so that there are, but forty or fifty individuals hovering on our frontiers, that we can hear of. The Quakers, though very refractory under president Glover’s and governor Hyde’s administrations, since I have been entrusted with the government, I must needs acknowledge, have been as ready, in supplying provisions for the forces, as any other inhabitants of the province.”

Chalmers—History of South Carolina—Records.



CHAPTER XIV.

ON the 30th of March, 1713, peace was concluded between England and France. Louis XIV. recognized the succession of the British throne in the protestant line. The bay of Hudson was declared to belong to Great Britain, *a titre de restitution*, and Nova Scotia, hitherto called Acadia, Newfoundland and the adjacent islands, *a titre de nouvelle acquisition*. The exclusive right of fishing on the coast of Nova Scotia was given to Great Britain. The French retained l'isle Royale and that of Cape Breton. Commissioners were agreed to be appointed to settle the limits of the American dominions of both nations.

Peace was at the same time made with Spain. She ceded to Great Britain Gibraltar and the island of Minorca. Independently of these two very valuable acquisitions, Great Britain acquired two very important advantages, *el pacto de el assiento de negros*, and an implied recognition of their claim to the log-wood trade.

El pacto de el assiento de negros, was a contract which secured the British the privilege of supplying, in exclusion of Spanish subjects, several parts of Spanish America, with negroes. This privilege had at first been enjoyed by the French Guinea Company, under a convention, which began the 1st of Septem-

ber 1701, and ended on the same day, in the year 1712. The British had applied themselves to thwart the operations of that company, which was inclined by its losses to quit that service. The British obtained it on the 26th of March 1713. The treaty between France and Spain, however, left some share of it to the French, but as the British had obtained better prices than those given to the French, the latter were soon evicted. This traffic, although to be confined to the islands, opened the way to the main, and to the commerce that it facilitated, was one of the motives of the war which the peace of Utrecht terminated.

The clause of *uti possidetis* in the treaty between Great Britain and Spain, in the year 1670, which allowed, in the opinion of the former, the right of the English to cut logwood in the bay of Campeachy was recognized, and confirmed, "without any prejudice, however, to any liberty or power, which the subjects of Great Britain enjoyed before, either through right, sufferance or indulgence."

On the 13th of July, the duke of Beaufort, palatine of Carolina, granted a commission to Charles Eden, as governor of North Carolina. He arrived in the spring of the following year, and qualified on the 28th of May. His instructions differ very little from those of governor Hyde. He was directed not to allow the survey of land, at a greater distance than twenty miles from the rivers Cape Fear and Trent. The quit rents were now fixed at ten shillings sterling for every thousand acres. The expenses of government were now encreased: they amounted this year to upwards of nine hundred pounds sterling. The salary of the chief magistrate was raised to three hundred

pounds. The sale of land and the collection of quit rents did not produce to the treasury much more than eleven hundred pounds, and the net revenue was one hundred and sixty-nine pounds, seven shillings and ten pence. One half of a century had already elapsed since the lords proprietors had obtained the king's charter, for perhaps the most unexampled concession of land. They had spent considerable sums of money in peopling and governing their province, and yet, at this very late hour, it hardly yielded a revenue of twenty pounds a year, to each of the eight proprietors.

Governor Eden found the part of his province in a state of incipient convalescence. He visited its precincts and was every where received with marks of cordiality and respect. He found every where the planters returned on their farms, endeavoring to retrieve, by agricultural labours, the losses which they had sustained during the war.

It does not appear that there was any meeting of the legislative body during the first year after the governor's arrival. It is believed there was none, as there was one on the preceding year, and the sessions of that body were biennial.


On the 24th of May, Henry, duke of Beaufort, the palatine, died, and was succeeded in that dignity by John, lord Carteret.

On the 1st of August, queen Anne died, and in the fall George I. was proclaimed, as the lawful sovereign of the British empire, and of the province of Carolina.

In the month of February, the governor and coun-

cil concluded a treaty of peace with the Core and Matchapungo Indians. The two tribes were so reduced in numbers that they united in one settlement, and lands were allotted to them near Mattamuskeet lake, in the precincts of Hyde. An agent was appointed to reside in their neighborhood.

The storm, that had just subsided in the northern part of Carolina, now broke out with increased fury in the south. All the tribes of Indians, from Cape Fear to Florida entered into a confederacy for the destruction of the whites. The principal tribe of the Yamassees, who dwelt on the back of Port Royal island, acted in this tragedy the same part which the Tuscaroras had performed four years before on Roanoke. On the 25th of April, about break of day the cries of war gave universal alarm, and in a few hours about ninety persons were massacred in Pocoligo and the neighboring plantations. A captain of militia, escaping to Port Royal, alarmed the town, and a vessel happening to be in the harbour, the inhabitants repaired precipitately on board, sailed to Charleston, and thus providentially escaped a massacre. A few families of planters on the island, not having timely notice of the danger, fell into the hands of the savages. While the Yamassees were thus falling on Port Royal, the Sauras, Saponas and Sissipahaw tribes who dwell towards the river of Cape Fear ran down upon the plantations, between that stream and Charleston. The city itself trembled for its perilous situation. In this hour of terror, although there were not on the muster roll of this part of the province, more than twelve hundred men fit to bear arms,



the governor resolved on collecting as much of this small force as he could to march against the enemy. He proclaimed martial law, and laid an embargo on all ships to prevent either men or provisions from leaving the country. The Indians having murdered a family on a plantation to the north of Charleston, at the distance of about fifty miles, captain Barker, at the head of a party of ninety horsemen, marched towards the foe; but, being compelled to confide in an Indian guide, was treacherously led in an ambuscade, where he was slain, with the greater part of his men: the rest retreated in confusion. A party of about four hundred Indians came down on lower Goose creek, where seventy men and forty negroes had surrounded themselves with a breastwork, with the resolution of maintaining their post. Discouraged, however, about as soon as attacked, they rashly agreed to terms of peace; but, on admitting the enemy within their works, they were barbarously murdered. The Indians now advanced towards Charleston, but were repulsed by governor Craven, at the head of the militia. The Yamassees, in the mean while, with the tribes near them, had spread desolation through the parish of St. Bartholomew, and proceeded down to Stono. Governor Craven's men, advancing with cautious step, dispersed their straggling parties, until he reached the Saltcatchers, where the Indians had pitched their main camp. Here was fought a severe and bloody battle, from behind trees and banks; the Indians, with their terrible war whoop, alternately retreating and returning with redoubled fury to the charge. The governor, undismayed, pressed closely on with

his militia, pursuing the Indians over Savannah river. The enemy sought shelter in the province of Florida, where they were hospitably received. During this war, four hundred white inhabitants were slain.

Intelligence of its breaking out did no sooner reach the Core and Matchapungo Indians, than they attempted to avail themselves of the confusion, which the alarm created in the county of Bath, by irruptions on distant plantations, where they slaughtered several individuals. Governor Eden called out a part of the militia and prevailed on some of them to march to cape Fear and Charleston, if needed, to the aid of the white people there. Colonel Maurice Moore headed a troop of horse on this service.

Three small forts were now erected on the Congaree, Savannah and Apalachicola rivers, to protect the province of Carolina against the excursions of the Yamassees from Florida.

On the 13th of September, governor Eden issued his proclamation for convening the legislative body on the 15th of November. Hitherto, for several sessions, it had assembled in the church of the precincts of Chowan. It was now directed to meet on the plantation of John Hecklefield, one of the lords proprietors' deputies, on Little river, the stream that divides the counties of Pasquotank and Perquimans.

The acts, that were passed at this session, are the oldest at present on record, that have survived the ravages of time. It is believed a revision of all former acts was had at this period: certain it is that, on the rise of the legislature, there remained no acts in force, except such as were passed or confirmed dur-

ing the session. They were directed to be printed, but as no printed copy is extant, and manuscript ones may be found in some libraries, it is imagined the order of the legislature in this respect was never carried into execution. A specific tax of one bushel of Indian corn, upon every titheable inhabitant was laid for the support of some forces, which it was judged still necessary to keep on the frontiers for the defence of the back settlers, and to discharge part of the debt due to the government of South Carolina. The extreme scarcity of a circulating medium again induced the legislature to resort to the press, and an emission of twenty thousand pounds in bills of credit was ordered. We have seen that eight thousand pounds had been emitted in 1713. A clause in the act, passed for the new emission, induces a belief that several others had preceded, and rendered some palliative necessary. The act denounces any member of a future legislature, who may move any proposition, in the opinion of the house, derogatory or prejudicial to the credit of the bills about to be emitted, or to any new emission, as an enemy to the lords proprietors and the province. If the man hold a seat in the upper house, he is to be fined in the sum of twenty pounds and his seat is to be vacated till the pleasure of the lords proprietors be known; if he be a member of the lower house, he is to be fined in the same sum and expelled from the house, and declared incapable of ever holding a seat therein. A tax was laid for raising annually the sum of two thousand pounds, to be applied to the redemption of the bills. An act was passed for establishing the church

of England and the election of vestrymen; but provision was made, at the same time, for liberty of conscience, and for the substitution of a solemn affirmation, in lieu of an oath, in favor of the Quakers. An act was passed for establishing the town of Carteret, on the island of Roanoke. This island, remarkable only as the cradle of the first English colony in the new world, must have had at this time a proportionably greater population, than it now enjoys. However, it seems, in the language of Thomas Jefferson, the legislature, in this instance, said there should be a town, where nature had said there should be none; for no vestige remains of the town, besides its name in the few copies of the acts erecting it, which are extant. Provision was made for pilots at Roanoke and Ocracock inlets, for roads and ferries, weights and measures, the building of mills, the suppression of vice and immorality, and for keeping the 22d of September, the anniversary of the late massacre, as a day of fasting, humiliation and prayer; a duty was laid on the tonnage of vessels, to supply ammunition for a public magazine; priority was given to debts contracted in the country; the damage on bills of exchange was regulated; the rate and place of delivery of staple commodities were fixed; the fees of officers ascertained; the election for members of the legislature regulated; the rights and duties of masters and servants settled; a court law was passed; the common law and some English statutes introduced: indeed, the acts of this session appear to form a complete code.

In the latter part of the session, Edward Moseley, the speaker of the assembly, and some of the other

members, who had supported president Carey during his insurrection, and had since opposed governor Hyde, carried through the house a number of resolutions, censuring the present administration. They voted, "that the impressing of the inhabitants or their property, under pretence of its being for the public service, without authority from the assembly, was unwarrantable, a great infringement of the liberty of the subject, and very much weakened the government, by causing many to leave it: that the late treatment of the Core Indians, contrary to the treaty made with them, and the tenor of an act of assembly relating to Indian affairs, was injurious to the justice of the government and likely to involve it in war: that such persons as refuse to take the public bills of credit, in payment for fees or quit rents, or demand or receive any allowance for taking them, very much lessen their credit, and are guilty of a very great breach of the act of assembly."

The house appointed Edward Moseley, Joseph Jessup, Thomas Boyd, William Swann, John Porter, Frederick Jones, and D. McFarlane, or any four of them, a committee, with full power and authority to represent the deplorable circumstances of the colony to the lords proprietors, and entreat them to accept the public bills of credit for the purchase of land and the payment of quit rents, as well in that government, as in that of South Carolina.

The upper house reprobated these resolutions, as being clandestinely obtained, not having been communicated to them, as tending to the infringement of the authority of government, whose undoubted pre-

~~to~~ ~~leave~~ it was to suppress invasions and insurrections, ~~and~~ provide against unforeseen emergencies: as attacking the prerogatives of the lords proprietors, and creating in them jealousies of the faithful services of their officers in the province: and, as intended to give ill and disaffected persons an opportunity of clandestinely venting their malice, to the lords proprietors, against the present administration, under colour of the authority of the people.

In the summer, the governor issued a proclamation for dissolving the assembly.

It appears that there were, at this time, two thousand taxable inhabitants in the settlement, and that one million of acres of land had been granted by the lords proprietors.

The lords proprietors, disregarding the remonstrance and petition of the assembly, instructed their receiver general, in Carolina, to demand the price of land, and the quit rents, in sterling money.

The province of Virginia having procured from the Indians the cession of a vast tract of land, beyond the Apalachy mountains, governor Spotswood formed the design of raising a company, who should acquire those lands from the crown, and settle a colony there. But the good understanding, that then prevailed between Great Britain and France, prevented the success of his scheme. It went, however, so far into effect, that three millions of acres were granted by the colony to the west of the Apalachy mountains. The plan of the governor was, about half a century after, improved on, by the establishment of the Ohio company.

Experience having shown that the punishments, inflicted by the laws in force in the mother country, against persons guilty of robbery and larceny, had not proven effectual to deter the wicked; and many offenders, to whom the royal mercy had been extended, on condition of transporting themselves to America, having neglected to perform the condition of their pardon, but returned to their former practices, came at length to an ignominious death; and there being in many of the American colonies a great want of servants, who, by their labour and industry, might be the means of improving, and making them more useful to the mother country, a statute was passed, (4 Geo. I. c. 11.) by which persons, convicted of clergyable offences, were directed to be transported for seven years, to the king's plantations and colonies in America: persons convicted of mitigatable offences, to whom the king might extend his pardon, and receivers of stolen goods, were transported for seven years. Transported persons, returning before the expiration of the time, for which they were transported, were to be punished capitally; and, with a view to encourage a more useful class of emigrants, merchants and others were permitted to contract with persons, between the ages of fifteen and twenty-one, willing to be transported, and enter into service, in any of his majesty's colonies and plantations in America, for their services during the period of eight years.

The few individuals of the Tuscarora nation, who had remained with king Blunt, on the migration of the main body of the nation towards the lakes, had land allotted to them on Pamlico river. The smallness of their number, disabling them from resisting the attacks

of the southern Indians, governor Eden and the council, on the 5th of June, entered into a treaty, by which the land on Pamplico was abandoned by the Indians, and another tract granted to them, on Roanoke river, in the present county of Bertie, in consideration of which, they relinquished all claims to any other land in the province. The descendants of these Indians, at this day, though removed to the northern lakes, still retain their right to the land, thus granted them, and have, at various times, sent agents to collect the rents accruing thereon, in which they have been assisted by the legislature.

Merchants and masters of ships had, in their trade to America and the West Indies, suffered much from the barbarity and depredations of pirates. On their complaint to the king in council, a proclamation had been issued, promising a pardon to all pirates who should surrender themselves within the space of twelve months: and at the same time a force was ordered to sea, to suppress them. The island of Providence being their common place of resort, captain Wood Rogers sailed with a few ships of war against the island, and took possession of it for the crown of England. It will be recollected, that this island, with the rest of the Bahamas, had, in 1665, been granted to the lords proprietors of Carolina, who had made efforts to settle a colony in these parts. All the pirates, except one Vane, with about ninety others, (who made their escape in a sloop) took the benefit of the king's proclamation and surrendered. Rogers, who was constituted governor of the island, formed a council, appointed civil and military officers, built forts, and

from this time the trade of the West Indies was well protected against those lawless plunderers.

They were not yet, however, extirpated from the southern shores of the continent. About thirty of them took possession of the land at the mouth of cape Fear river, the plantations which had been, about forty years before, begun in this part of the province, having been long since abandoned. They infested the coast of Carolina, and did immense injury to the commerce of Charleston. Governor Johnson of South Carolina, resolving to check this alarming evil, sent out to sea a ship of force, which captured one of their sloops, and brought Steed Bennet, the commander, and about thirty-nine men, to Charleston. The governor soon after embarked in person, and sailed in pursuit of an armed sloop, which, after a desperate engagement, was also taken. Two pirates, who alone survived the action, were instantly tried, condemned and executed. Bennet, and his crew, were also tried, and all, excepting one man, were hanged.

Edward Teach, commonly called Black Beard, a noted freebooter, still made the coast of Carolina the station of a small squadron, which he commanded. His flag was hoisted on board of a forty gun ship, the crew of which consisted of one hundred men. He had with him six other vessels. Bennet, before his capture, and Vane and Wirley, were the officers next in grade to him. The inlets of Ocracock and Topsail and the river of cape Fear, were the places from which they sallied forth, and to which they retreated for safety. In the month of May, Teach came to

cruise before the bar of Charleston, with his forty gun ship. Having captured a ship, on board of which Samuel Wragg, a member of the council of the province of South Carolina, had taken his passage, he robbed that gentleman of six thousand dollars, in specie, and taking him on board of his ship, as a prisoner, with several other passengers, sent four of his men to Charleston, to demand of governor Johnson, a chest of medicine, threatening to behead Samuel Wragg, and the other passengers, unless the chest was sent. The pirates staid in town some time, walking publicly along Main street, while they waited for the governor's answer. At last, the desire of saving the life of the prisoners induced a compromise, and the pirates were suffered to return on board, unmolested, with the chest.

Soon after, Vaughan, one of Teach's captains, lying off the bar, sent in a like insolent message. The indignation of the people was raised, and some ships were fitted out, for the purpose of taking him, but Vaughan, having had intimation of their intention, escaped.

Teach came into North Carolina, where he intended to break up his company, and secure the plunder he had collected, and proceeded to Eden's house, with twenty of his men, where, pleading the king's pardon, they obtained the governor's certificate. A court of admiralty being soon after held at Bath, Teach obtained the condemnation of a sloop, as a good prize, although he never had a commission. He now married a young girl, his thirteenth wife, and having spent some time rioting in Pamlico, he sailed on a cruise,

and shortly after, returned with a valuable prize, a French ship, laden with sugar and cocoa. Four men swore she had been found at sea, without any person on board: on this evidence, the court of admiralty adjudged her, as a lawful prize, to the captors. There were men, unfriendly to governor Eden, and to the judge, Tobias Knight, who said, that the governor had received sixty hogsheads of sugar, as a *douceur*, and the judge twenty; and in order to elude every means of enquiry into the affair, the ship, on a suggestion, that she was leaky and unseaworthy, was consumed by fire.

Teach remained in the river, trading with the small vessels that came in, and with the planters, for provisions and other things, in exchange for his part of the plunder. They complained of his want of correctness in the application of the rule of *meum et tuum*, and imagining that the governor did not exert his authority in a manner sufficiently energetic to afford them redress, sent a message to governor Spotswood, to solicit his influence with the commodore on that station, for a small force, to subdue the pirate. Accordingly two sloops were fitted out, and Robert Maynard, a lieutenant of the royal navy, was ordered to proceed with them to North Carolina. A proclamation was, at the same time issued by governor Spotswood, offering a reward of one hundred pounds for the apprehension of Teach, fifteen pounds for every officer, and ten pounds for every other man, taken out of his sloops. Lieutenant Maynard left James river on the 17th of November, and four days after passed Ocracock bar, and shortly after approached the pirate.

Although the expedition had been fitted out with great caution and secrecy, yet Teach had been apprized of the lieutenant's motions, and had accordingly put himself in a posture of defence. His force consisted of twenty-five men. Lieutenant Maynard, on discovering Teach's vessel, came to an anchor, the difficulty of the channel requiring this precaution. In the morning, he came within gun-shot of her, and received her fire; whereupon he stood directly towards the pirate, endeavoring to make a running fight, but run aground. Teach hailed him, with horrid imprecations; boasting he neither would take nor receive quarter. A bloody fight immediately ensued, and the lieutenant's men being much exposed, he lost twenty of them, at one broadside; on which he ordered all the others below, bidding them to be ready for close fighting on the first signal. The pirate poured in his granadoes, and seeing no person on deck, ordered his men to board the enemy. The lieutenant calling his men on deck, fell on the assailants. The two commanders fired first at each other, and instantly drew their dirks, while their men, being as eagerly engaged, the deck was soon covered with gore. Teach fell, exhausted by the loss of blood from a number of wounds: eight, out of fourteen, of the pirates who had boarded the king's vessel were killed, and the other six, totally disabled by their wounds, sued for mercy. The men who had remained on board of Teach's vessel were next attacked, with the same bravery, and surrendered. Their commander, after firing the first broadside, seeing but little hope of an escape, had placed a desperate negro, with a firebrand, at the ma-

gazine, with orders to apply it the moment the enemy boarded the sloop. He was with difficulty dissuaded from doing so, although informed of the death of his master.

Lieutenant Maynard caused Teach's head to be severed from the body, and hung from the end of his bowsprit, and then sailed up to the town of Bath, where he landed his men. After they were a little recovered, he returned with the pirate's crew to James river, the head still hanging from the bowsprit. They were tried in the court of admiralty, and thirteen of them were hung.

Edward Teach was born in Bristol, and had served several years during the last war on board of a privateer, fitted out in Jamaica, and had distinguished himself for his intrepidity and boldness. In the year 1706, he joined one Hornsgold, a pirate, with whom he went on a cruize, between the island of Providence and the continent. Having captured a sloop, of which Hornsgold gave him the command, he took with her, soon after, a French Guineaman, bound to Martinico: he put forty guns on board, and called her *Queen Anne's Revenge*, and went on a cruize, with the sloop as a tender, to South America and the Canary islands, where he heard of the king's proclamation. Having collected much plunder, and being desirous of diminishing the number of those with whom it was to be shared, he ran aground, as if by accident, and abandoning seventeen men on a desert island, where they must have perished, if they had not soon after been taken off by Steed Bennet, one of his captains: he had come to Carolina.

The adherents to president Carey still continued their opposition to the measures of the administration, and on Christmas day, Maurice Moore and Edward

Moseley possessed themselves of all the papers in the office of the secretary of the province, in the custody of John Lovick, the deputy secretary, at Sandy point. The governor had them instantly arrested, and called a meeting of the council, who approved of his conduct, and ordered those gentleman to remain committed, till they gave bail to stand their trial. They were afterwards tried, in the general court, and Edward Moseley was convicted, fined one hundred pounds, silenced as an attorney, and declared incapable of holding any place of trust or profit, under the government, during three years, and ordered to give security for his good behaviour for a year and a day.

Governor Eden laid before the council an account of his proceedings, on the surrender of Teach and his men, of some disorder committed by them in Bath, of the means by which he put a stop to them, of Teach's clearing out for St. Thomas, and returning soon after with a wreck, loaded with sugar and cocoa; and a statement of his conduct towards the pirates, till Teach was killed, and the others carried to Virginia. The council expressed their approbation of the governor's conduct.

During the trial of these men at Williamsburg, several witnesses charged Tobias Knight, who exercised the functions of chief justice, in the absence of chief justice Gale, with having been accessary to their piracies. This induced the council to call him before them; but, on examining into the case, they found no cause of suspecting him.

The lords proprietors had rendered themselves most obnoxious to their tenants in Carolina. Joseph Boor had returned to Charleston, without having been able

to obtain any redress. An association was formed, with a view to unite the whole colony, in an attempt to destroy the proprietors' government. Governor Johnson had put an end to a contest between him and the assembly of his part of the province, by a dissolution of the latter, and, after issuing his proclamation for that purpose, had retired into the country. The house, when the marshal attempted to read the proclamation, ordered it to be torn from his hands. This measure was followed by the immediate rise of the standard of revolt. The assembly called James Moore, (the officer who had headed the succour to North Carolina, about seven years before) to the supreme magistracy, as governor for the king, and appointed him a council, and the new form of government went into operation, without the least confusion or struggle. Governor Johnston, however, having unsuccessfully attempted to thwart these measures, made a last bold effort to recover his authority. He was joined by the commander of a small naval force, that was then in the province. The ships of war came, and laid their broadsides towards Charleston, and threatened the destruction of it, if the inhabitants persisted in refusing obedience to legal authority : but the people, having arms in their hands, and forts in their possession, bid defiance to the governor, and he relinquished his attempt to re-establish the proprietors' government.

This year, the town of Pensacola was taken by the French from the Spaniards, who retook it a few months after.

The flame of revolution, which had burst out in South Carolina, did not extend to the north, and on the 19th of February, governor Eden and his council ad-

dressed the lords proprietors, assuring them of their utter detestation of the proceedings by the people at Charleston, and that nothing in their power should be wanting to promote their interest in the northern part of the province; that they were entirely easy and satisfied under their lordships' government, and would always use their utmost endeavours to maintain it.

In the month of August, governor Eden met the legislature at the court house of the precinct of Chowan; it sat but eighteen days; no very important act was passed during this session; the land and poll taxes were lessened, an evidence of the tranquility of the country. By an act of this session, it appears, a town had some time before been established by law in the precinct of Chowan, which in honor of the governor was called Edenton; the original act is not extant, and it is impossible to establish its date.

The agent of the people of South Carolina, during the absence of the king at Hanover, obtained a hearing from the lords of the regency and council in England, who were of opinion, that the lords proprietors had forfeited their charter. In conformity to this decision, he ordered the attorney general to take out a *scire facias* against it, and in September, Francis Nicholson, who had lately presided over the provinces of Virginia and Maryland, received the king's commission as governor of South Carolina: it does not appear that his authority was ever exercised in North Carolina. It is believed, that at this time, the authority of the lords proprietors ceased to be acted under in the southern part of the province. In the northern, the acts of the legislature and every other act of government, till the arrival of governor Burrington, with a royal commission, in 1730,

appear to have been enacted by the authority of the lords proprietors.

Governor Nicholson arrived in Charleston early in the following year, and soon after convened the legislature: they recognized king George as their immediate lord, and proceeded with cheerfulness and harmony to the regulation of the affairs of the colony. Before governor Nicholson left England, a suspension of arms between Great Britain and Spain had taken place, and by the treaty of peace which succeeded, it was agreed that all subjects and Indians, living under these different jurisdictions, should cease all acts of hostility: orders were sent out to the governor of St. Augustine, to forbear molesting the people of Carolina, and governor Nicholson was instructed to cultivate the friendship and good will of the Spanish subjects and Indians in Florida. In conformity with these instructions, governor Nicholson gave his first attention to fix the limits of the hunting grounds of the Indians, and forbid any encroachments on their hunting grounds. With this view, he sent a message to the Cherokees, inviting their chiefs to a general congress: he met them, smoked the calumet with them, marked the boundaries of their lands, and appointed an agent to regulate their affairs. He then held a treaty with the Creeks, appointed an agent to reside among them, and fixed on Savannah river, as the boundary of their hunting grounds, beyond which no settlement was to extend.

By a statute passed this year, (8 Geo. 1. c. 12.) the premium on the importation of hemp from America, was continued: wood, plank and timber, wrought or unwrought, were allowed to be imported from the colonies in America, free from duty: restrictions were im-

posed on the cutting or falling of any white pine trees in the northern colonies.

By the articles of the treaty of peace, ratified this year between France and Spain, Pensacola, which the French had taken a second time, was restored to his Catholic majesty. The seat of government of the province of Louisiana was removed from Biloxi to New Orleans, which had been laid out since 1717, but which did not take any consistency till after this removal. The province was reduced to such a distressed state, that many of the colonists came over to Charleston: the number of these people was so great, that governor Nicholson advised monsieur de Bienville, governor of Louisiana, to take measures to prevent the further desertion of his people.

The endeavours of the French, to confine the English colonies to narrow limits along the sea coast, by a chain of forts, on the great passes from Canada to Louisiana, were now so apparent, that governor Burnett, of New York, concluded it to be of the utmost importance to get the command of Lake Ontario, to secure the trade and friendship of the six nations, and frustrate the designs of the French: he therefore began the erection of a trading house at Oswego, in the country of the Senekas.

Daniel Coxe, the son of the proprietor of the province of Carolana, who had attempted, during the reign of queen Anne, to induce the ministry to yield to the settlement of his province the aid which had been promised him in the former reign, without success, owing to the war, which occupied their attention, now made a new effort to draw the public attention to his views, by the publication of a description of Carolana, and an extract of his memorial to king William.

The king this year granted to John, duke of Montague, his letters patent, constituting him captain general of St. Lucia and St. Vincent, with liberty to settle those islands with British subjects. The duke's attempt being opposed by the French, miscarried. Three years before, monsieur D'Estree had obtained from the regent of France a grant of St. Lucia, and sent a colony to possess and settle it: but on a remonstrance of the British ambassador at Paris, he had orders to discontinue his settlement, and withdraw the people from that island. St. Lucia was at this time evacuated by both French and English, and together with St. Vincent remained a neutral island, until the treaty of 1763.

On the 26th of March, governor Eden died: his tomb stone at Eden house, on Salmon creek, in the county of Chowan, informs posterity, that he "governed the province eight years, to the greatest satisfaction of the lords proprietors, and the ease and happiness of the people; that he brought the country into a flourishing condition, and died much lamented, in the forty-ninth year of his life."

During the war between France and Spain, under the regency of the duke of Orleans, the French of Louisiana attacked the Spanish mission in Texas, from Natchitoches: the Spaniards retreated as far as San Antonio de Bexar. In 1719, the marquis de Valero advanced with a considerable force, and drove the French back to Natchitoches.

CHAPTER XV.

On the 30th of March, 1722, Thomas Pollock, the deputy of lord Carteret, qualified as president and commander in chief, under a commission from the lords proprietors.

On the 8th of August, the precinct of Craven was divided, by an order of the president and council. The eastern part, including all the land lying on Core sound, Bogue sound, the rivers and creeks running into them, and all the settlements to the south, was erected into a new precinct, which, in compliment to one of the lords proprietors, was called Carteret. Craven precinct, consisted of all the settlements on Neuse and Trent rivers, and their branches, including Bear river.

Nearly about this time the Reverend Mr. Newman, whom, at the repeated solicitations of governor Eden, the society for propagating the gospel in foreign parts, had sent to North Carolina, arrived, and entered on the duties of his appointment. Like those of his predecessors, his reports to the society deplored the poverty and ignorance, and sometimes, the profligacy of his flock, the remote situation of the individuals of it, and the consequent hardships and fatigue, he had to endure. These brought on a severe illness, to which he soon after fell a victim.

On the 30th of August, the president died; and on the 7th of September, William Reed entered on the du-

ties of the office of president and commander in chief. This gentleman met the legislature, in the new town of Edenton, a few weeks after his election. The country was in the calm moment of peace. The settlements on Neuse, around the town of Newbern, had considerably increased; but they were not accessible, with facility by land, from those around the town of Bath, on Pampllico river; the communication by water was tedious, and at times, dangerous: a law was now passed, to open a road from Core point, between the two settlements. A sum of twelve thousand pounds, in bills of credit, was emitted, for the purpose of exchanging those which were afloat. The measure was not considered as destructive of the credit of the currency, or a new Heges- torides encountered the penalties denounced by the act of 1715. It does not appear that any was exacted.

Owing to the great charges government had been at, during the late Indian war, the preceding legislature had not taken care of establishing the precinct courts, in any fixed or certain places; but they had hitherto been held at private houses, liable to be removed at the pleasure of the owner. This inconvenience was now remedied; and the justices were ordered to have a court house erected in every precinct, except those of Hyde and Beaufort, for which, it was imagined, one would suffice. The court house of the precinct of Carteret was directed to be built in a town which, about this time, began to be erected, which, in the following year, was established by law in that precinct, and in honor of the Duke of Beaufort, one of the lords proprietors, was called Beaufort. Those of the precincts of Craven and Chowan, were directed to be built in the towns of Newbern and Edenton; that of the precincts of Beaufort and Hyde, in

the town of Bath; that of the precinct of Perquimans, at Felps point, at the mouth of the Narrows : those of the precincts of Currituck and Pasquotank, at the choice of the justices.

That part of the county of Albemarle, lying to the westward of Chowan river, was erected into a new precinct, which was called Bertie, in honor of James Bertie, who, on the death of Seth Sothel, had purchased the share in the province, which had originally been held by the earl of Clarendon, or Henry Bertie, who held, afterwards, that of Sir William Berkely. The court house of this precinct was directed to be built at Abotskey.

Settlements on Cape Fear river began, it is said, to be made this year; since the retreat of the planters brought there by Sir John Yeamans, no attempt had been made at agriculture on that river. There are, however, no documents extant, from which the exact time, when the permanent settlement on that river began, can be ascertained; it is, however, probable, that it happened about this time. By the erection of the precinct of Carteret, the lands on Cape Fear river, at least, on the eastern side of that stream, were taken in as part of the new precinct, and regular government was extended thereto.

In the following year, a fort was built high up on Connecticut river, which took the name of lieutenant Dummer, under whose direction it was built. Around it, a settlement began soon after, which was the origin of the present state of Vermont.

President Reed met the legislature at Edenton, on the 23d of November. Peace continued to prevail, and the legislature thought themselves justifiable, in giving

another direction to the tonnage duty, which had been imposed on all vessels, for the purpose of obtaining powder and ammunition, in 1715. The duty was now to be paid in money, to be employed for beaoning out the channels of Roanoke and Ocracock inlets. Provision was made for obtaining impartial jurymen, for regulating elections, and settling the bounds and titles of land, for destroying vermin, and restraining the too great number of horses and mares, and improving the breed.

George Burrington, who had been appointed to succeed governor Eden, arrived early in the following year, and opened his commission at Edenton, on the 15th of January.

According to his instructions, twelve counsellors were to compose his council, and the upper house of the legislature. He was authorized to fill vacancies in that body, by a provisional appointment; and with the majority of the council, empowered to suspend any member of it. He was authorized to assent to laws not repugnant to those of England, and containing a clause, that they should not go into execution, until approved by the lords proprietors. This was a serious restriction, when we consider the paucity of opportunities, which the colonists had, of transmitting their laws to England. He was particularly ordered to redeem and cancel the paper currency, and to enforce the execution of the statute, passed in the sixth year of the late queen's reign, for regulating the value of foreign coins, in the American plantations.

The officers of government, besides governor Burrington, were Christopher Gale, chief justice, James Stanway, attorney general, John Lovick, secretary

of the province, Edward Moseley, surveyor general, Arthur Goffe, receiver general, John Dunstan, naval officer, and Henry Clayton, provost marshal.

The expenses of government, which were not covered by the receipts, were only six hundred pounds sterling; three hundred were paid to the governor, sixty to the chief justice, and the same sum to the secretary of the board of the lords proprietors, in England: forty pounds each, to the attorney general, secretary, surveyor general, and naval officer, and twenty pounds to the receiver general.

The utmost tranquillity continued to prevail in the settlement. A tract of land, containing eleven thousand three hundred and sixty acres, was laid out for the Chowan Indians, on Bennet and Catherine creeks.

In the fall, Thomas Pollock, a son of the late president, was appointed chief justice; and William Dunning Cullen Pollock, Isaac Hill, John Alston, and Robert Lloyd, associate justices.

William Little, succeeded James Stanway, as attorney general.

In the month of October, governor Burrington went to visit the incipient settlements on Cape Fear river. Considering this journey as almost an absence from his government, he devolved the power of chief magistrate, on Edward Moseley, as president and commander in chief.

Governor Burrington presided but fifteen months over the settlement. If any legislature was in session, during his administration, no record of any of their proceedings has been preserved. By an order of council, of the 24th of April, 1724, lands are directed to be granted, in the county of Bath, on the petition of the lower

house of the legislature, which sat under president Reed, in the month of November, 1723.

On the 7th of April, 1725, the lords proprietors appointed Sir Richard Everard, as successor to governor Burrington; he qualified at Edenton, on the 17th of July. With him, arrived the Reverend W. Backnall, a missionary, sent over by the society for propagating the gospel, in foreign parts. The tranquility, in which he found the northern part of the province, did not prevail in the southern. No final agreement having yet been concluded, with respect to the limits of Florida and Carolina, the Indians, who were in alliance with Spain, particularly the Yamassees, continued to harrass the British settlements. Colonel Palmer, at length, to make reprisals, collected a party of militia and friendly Indians, to the number of about three hundred; he marched into Florida, as far as the gates of St. Augustine, and compelled the inhabitants to take refuge in the castle. He destroyed their provisions in the fields, drove off their cattle, killed some Indians, and made others prisoners; burning almost every house in the colony, and leaving the Spaniards but little property, besides what was protected by the guns of the fort.

Richard Fitzwilliams, surveyor general of the customs, for the southern district of North America, visiting the settlement, took his seat in the council next to the governor.

The bishop of London, as patriarch of England, extended his jurisdiction to the British American colonies. The expenses of government exceeded the receipts, by the sum of two hundred and thirteen pounds nineteen shilings and seven pence, in 1726; and two hundred and fifty-one pounds, nine shillings, in 1727.

The lords proprietors required that every tract of land granted should be improved, by having thereon a house built, fifteen feet by ten, tight and habitable, of clap boards, or squared logs, with a roof, chimney and door place, a whole acre cleared, and the major part broken up and planted with fruit trees and grain.

In 1726, the unhappy contest, began under Charles II., (1678) between the parent state and the island of Jamaica, ended. Matters were compromised, by agreement on the part of the assembly, to settle on the crown a perpetual revenue of eight thousand pounds a year, on condition that the quit rents, then estimated at one thousand four hundred and sixty pounds, per annum; should form a part of that sum. 2d. That the body of their laws should receive the royal assent. 3d. That all such laws and statutes of England, as had been at any time esteemed, introduced, used, accepted or received, as laws of the island, should be and continue, laws of Jamaica, forever. This was implicitly to admit that the others were not, and a tacit renunciation of the power of parliament over the island.

During the fall of the following year, accounts reached the province of the demise of George I., which had occurred on the 20th of May, and George II. was proclaimed.

Sir Richard Everard met the legislature, at Edenton, on the 6th of November. The acts of this session are few and unimportant. Provision was made for preventing suits of little moment being brought in the general court; for obtaining different jurymen; for regulating towns and the election of members of assembly; for regulating trade and facilitating navigation; for the destruction of vermin and the tanning of leather.

The house of commons, in 1728, addressed the king praying him to contract with the lords proprietors of Carolina, for the purchase and surrender of their title to the province, promising to make the expense good, out of the next aid granted by parliament. An unanimous address was also presented, beseeching the king to use his utmost endeavors to prevent the depredations on the English trade in America; to procure satisfaction for past ones, and secure a free commerce and navigation, to and from the British provinces in that quarter of the world.

This year, the boundary line was run, between the provinces of Virginia and Carolina, by the commissioners of both, from the sea shore to Peters creek, which falls into Dan river, a little below the Saura towns, in the present county of Rockingham. The commissioners, on the part of Virginia, were William Byrd, William Dandrige and Richard Fitzwilliams: those on the part of Carolina were Christopher Gale, Edward Moseley and Samuel Swann.

The commissioners met on the 5th of March, 1727, near Old Currituck inlet, which was then so shallow that the breakers beat over it with a horrible noise. On the north side, the land terminated in a bluff point, from which a spit of land extended, towards the south east fall, half a mile. The inlet was between that spit and another on the south, leaving an opening of not quite a mile, then impracticable for any vessel whatever.

At two o'clock next morning, the variation was tried by a meridian taken from the north star, and found to be somewhat less than three degrees west.

The commissioners from Virginia, in their diary, observe, that their associates from Carolina, "brought not


above two men with them, that would put their hands to any thing but the kettle or frying pan; and they spent so much of their industry that way, that they had but little spirit or inclination for any other work.

“The women and children of the borderers came to stare at the commissioners, with as much curiosity as if they had lately landed from Canton or Morocco. The men appeared all to dread, that the line should pass to the south of their land, as in that case they must submit to some kind of order and government, while in Carolina, every one did what was best in his own eyes; and none paid any tribute to God or to Cæsar. A justice of the peace, in the precinct of Currituck having, about this time, ordered a fellow into the stocks, for being disorderly in his drink, was, for his intemperate zeal, carried thither, and narrowly escaped being whipped by the rabble.”

Many women brought their children to the chaplain of the commissioners of Virginia, to be baptized; but the gentleman who kept their dairy adds, “they brought no capon along with them to make the solemnity cheerful.”

Although the reverend gentleman of Virginia christened upwards of one hundred children, during the running of the line, he did not marry a single couple. None were attracted by the novelty of having their hands joined by a man in holy order: they considered marriage as a civil contract only, and its knot as firmly tied by a justice, as by an archbishop.

On the 6th of April, the weather growing warm, and the rattle snakes beginning to crawl out of their winter quarters, a stop was put to the running of the line. During one month, the line was run from Currituck to



the plantation of a Mr. Kinchen, a gentleman of respectability and note, who dwelt on the south side of the Meherrin, in the present county of Hertfort, a distance of seventy-three miles and thirteen chains. This place is the only one at which the commissioners saw an orchard. They resumed their labor on the 20th of September.

This year is remarkable, in the annals of agriculture, for the first appearance of the weavel; an insect hitherto unknown in British America. They were first seen in North Carolina, from whence these mischievous flies extended gradually to Virginia, Maryland, and Delaware.

The last legislature, which sat under the authority of the lords proprietors, met in Edenton, on the 27th of November of the following year. They emitted bills of credit to the amount of forty thousand pounds. The precinct of Hyde was separated from that of Beaufort, and the court house directed to be built on the spot on which the present town of Woodstock stands. A new precinct was formed, from parts of those of Currituck, Pasquotank, Chowan and Bertie, which was called Tyrell, in memory of Sir John Tyrell, a gentleman who now owned that part of the province, which had been originally granted to lord Ashley; and the precinct of Carteret was divided, and the lower part of it erected into a new precinct, which was called New Hanover, in honor of the reigning family.

Seven of the lords proprietors, finding that the expenses which had attended the settlement of Carolina were hardly productive of any advantage; the frequent wars which they had to sustain against the Indians

absorbing the revenues of the province, and disabling the settlers from paying the quit rents on their lands, the arrears of which now amounted to above ten thousand pounds, applied to the new monarch, and offered to surrender the government of the province, and all the franchises secured to them by the charter of Charles II. as well as their property in the soil. The king entered into an agreement with them, which was this year ratified by parliament. (2 Geo. II. c. —.) Each of them received from the crown the sum of two thousand five hundred pounds sterling, as the consideration of the surrender, and a further sum was allowed him, for his share of the quit rents due by the planters.

The share of lord Clarendon, under the original charter, was, at the time of the surrender, the property of James Bertie; that of the duke of Albemarle, the property of Henry duke of Beaufort and Charles Noel Somerset, his brother; that of the earl of Craven was still in the holder of that title; that of lord Ashley was held in trust by A. Hutchinson, for John Cotton; that of Sir John Colleton by one of his descendants of the same name; that of Sir William Berkley, was claimed by three persons, Henry Bertie, Mary Dawson, and Elizabeth Moore.

John, lord Carteret, baron of Hawnes, as heir of his father, who died in 1696, was in possession of the share of Sir George Carteret. He declined parting with it.

Thus ended the proprietary government in Carolina, sixty-six years after the charter, by which it had been established.

At its close the whole population did not exceed twenty-five thousand persons, of all sexes and colours, i. e. ten

thousand in the northern, and fifteen thousand in the southern part of the province.

The primary division of the northern part was into three counties; Albemarle, Bath and Clarendon.

Albemarle was subdivided into six precincts, Currituck, Pasquotank, Perquimans, Chowan, Bertie and Tyrrel; its population about seven thousand.

Bath, into four precincts, Beaufort, Hyde, Craven and Carteret; its population two thousand five hundred.

Clarendon had but one precinct, New Hanover; its population not exceeding five hundred.

Four towns only, had a legal establishment: Edenton, in the precinct of Chowan; Bath, in that of Beaufort; Newbern, in that of Craven, and Beaufort, in that of Carteret: they were all extremely small.

The legislative power, resided in the lords proprietors and the general assembly: the former acted by their governor, and a deputy from each of their lordships: the general assembly was composed of members from the precincts and towns.

The sessions of the legislative body were biennial: Edenton was the only town in which it sat.

The executive power resided in the governor, appointed by the lords proprietors.

The judicial power, resided in a general and precinct courts and justices of the peace.

The general court held semi-annual sessions, and Edenton was the only town in which it sat. The precinct courts held quarterly sessions: they were composed of the justices of the peace of each precinct; but every lord proprietor's deputy, the secretary and receiver of the province, were named in the commission of the peace of each precinct: these courts sat at the town

in each precinct, that had one ward at Felps' point, at the mouth of the Narrows ; and the place of sitting, in the precincts of Currituck, Pasquotank, Hyde, Bertie and Tyrrel, was left to the choice of the justices.

The general court was composed of a chief and four associate justices.

The governor held a court of admiralty, and with the lords deputies, one of chancery.

Edward Moseley, John B. Ashe and William Swann, are the only persons, who filled the chair of the general assembly, whose names appear on record.

R. Chevin, Francis Foster, Christopher Gale, Edmund Gale, Thomas Lovick, Maurice Moore, John Palin, Thomas Pollock, William Reed, Richard Sanderson, Robert West, J. Worley and Tobias Knight, are the proprietors' deputies, whose names have reached us.

The tanning of leather, is the only species of manufacture which appears to have obtained the notice of the legislature.

An act for the preservation of a library, the gift of Doctor Bray, was the only help afforded to literature. Nothing else appears to have been thought of, to promote education.

Acts had been passed, for the election of vestrymen, and church wardens ; but it is not known, that more than two houses of worship had been erected.

Quit rents, poll and land taxes, with a small duty on exports, and, originally, one on tobacco exported, were the means resorted to, to fill the coffers of the province.

Though the congress at Soissons proved abortive, conferences were begun at Seville, between the plenipotentiaries of England, France and Spain, and a treaty

was concluded, on the ninth day of November, not only without the concurrence of the emperor, but even contrary to his right, as established by the quadruple alliance.

The lords in the opposition excepted to the article by which the merchants were to make proof of their losses at the court of Spain.

At the time the crown purchased seven eighths of the province of Carolina, the French, the Spanish and the British, were the only European powers that had colonial establishments on that part of the northern continent of America, which is washed by the Atlantic ocean. The French possessed Canada and Louisiana, and the Spanish Florida. The British possessions were divided into eleven provinces: Nova Scotia, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania and the counties on the Delaware, Maryland, Virginia and Carolina.

With regard to their internal policy, the governments of the provinces were of three sorts: 1. Provincial governments, the constitutions of which depended on the respective commissions, issued by the crown to the governors, and the instructions which usually accompanied these commissions; under the authority of which, provincial assemblies were constituted, with the power of making laws, not repugnant to those of England; as in the provinces of Nova Scotia,* New Hampshire, New York, New Jersey, and Virginia. 2. Proprietary governments, granted out by the crown to individuals, in the nature of feudatory principalities, with all the in-

* Nova Scotia was, however, so thinly settled, that no legislature had as yet been called in it.

ferior powers of legislation, which formerly belonged to the owners of English counties palatine ; yet still with the express condition, that the ends for which the grant was made be substantially pursued, and that nothing be attempted, which might derogate from the sovereignty of the mother country ; as in the provinces of Pennsylvania, Maryland, and hitherto those of New Jersey and Carolina. 3. Charter governments, in the nature of civil corporations, with the power of making by-laws, for their own interior governments, not repugnant to the laws of England, and with such rights and authorities as were specially given them, in their several charters of incorporation ; as in the provinces of Massachusetts, Connecticut and Rhode Island. In the first of these, the constitution was of a mixed nature : the power seemed divided between the king and the people, but the latter had, by far, the greatest share : for, they chose the assembly, and the assembly, the council ; and the governor depended upon the assembly for his annual support, which frequently laid this officer under the temptation of giving up the prerogative of the crown and the interest of Great Britain. In the two other provinces, almost the whole power of the crown was delegated to the people : for they chose the assembly, the council and the governor ; and held little or no correspondence with any officer in the mother country.

The forms of government in the eleven provinces, were borrowed from that of England. Each had a governor, named by the king, the proprietor or the people ; they had courts of justice of their own, from whose decisions an appeal, in certain cases, lay to the king and council in England. Their general assemblies, composed of a house of representatives and the council

as an upper house, made laws suited to their own emergencies, with the concurrence of the king, or his representative, the governor. In all the provinces, except those of Connecticut, Rhode Island, and Maryland, copies of the acts of assembly were forwarded by the governor, immediately after the rise of each session, to the secretary of state for America, by whom they were laid before the board of the lords commissioners of trade and plantations. One of the king's counsel, specially appointed for the service of that board, (called the reporting counsel) took them under consideration, and reported his opinion on each act, whether the king should be advised to approve or repeal it. On the report of this gentleman, the board laid the act, with their own observations, before the lords of the king's council, on whose report the fate of the act chiefly depended.

The crown was confined in the exercise of its right in repealing the laws of the province of Massachusetts, to a period of three years, from the time they had been presented to the king, and those of Pennsylvania within six months.

The principal objections to a provincial law, which induced its repeal, by the authority of the crown, were, that it lessened the prerogative of the king, or the dependence of the province on the mother country, was repugnant to the laws of England, unnecessarily at variance with the laws and usages of the neighboring provinces, or affected the trade, manufactures or other real or fancied right of the king's English subjects.

The members of the lower house were more fairly and equally chosen by their constituents, than those of the British house of commons, by the people of Great Britain. The other two branches of the legislature

were necessarily less perfect than the corresponding ones of the British parliament, being absolutely dependent.

The advantages, which resulted to the mother country from her intercourse with the American colonies, were already considerable. Sir William Keith, who had resided a long time on the continent, in some observations, which he submitted to George II. on his coming to the crown, and which were referred in council to the lords commissioners of trade and plantations, states, that they took off, and consumed, about one fifth part of the woollen manufactures, exported from Britain, the chief staple of England and the main support of her landed interest. They took off and consumed more than double the value of these woollen commodities, in linen and calico, partly the product of Britain and Ireland, and partly the profitable return made for that product, when carried to foreign countries. The luxury of the colonies, which increased daily, consumed great quantities of English manufactured silks, haberdashery, household furniture, and trinkets of all sorts, as also, a very considerable quantity of East India goods. A great revenue was raised to the crown, by returns made in the produce of the colonies, especially tobacco, which, at the same time, enabled England to bring nearer to a balance her unprofitable trade with France. The colonies promoted the interest and trade of the mother country, by a vast increase of shipping and seamen, which enabled her to carry great quantities of fish to Spain, Portugal, Leghorn, and other places; furs, logwood and rice, to Holland; and eminently contributed in keeping the balance of trade with these countries in favor of England. If reasonably encouraged, the American provinces were now in a condition to furnish Britain with as much

of the following commodities as it could demand : masts for the navy, all sorts of lumber. hemp, flax, pitch, tar, oil, rosin, copper ore, and pig and bar iron, whereby the balance of trade with Russia and the Baltic might be very much reduced in favor of Great Britain. The profits arising to the colonies by trade were returned in bullion, or other objects useful to the mother country, where the superfluous cash, and other riches acquired in America continued, which was one of the best securities of the due subjection of the colonies.

The province of Nova Scotia, had been an important acquisition, as a barrier against the French of Canada, On the score of agriculture and commerce, it was of no value; the former was insufficient for the subsistence of the inhabitants. and the latter was confined to the exportation of timber to the West Indies; the quantity was inconsiderable, and the quality much inferior to that of the timber in the southern provinces.

The trade of the province of New Hampshire principally consisted in lumber, fish and naval stores : coarse woollen cloths were manufactured at home, by some of the colonists, for the use of their own families, and small quantities of linen were made by a few emigrants, who had lately arrived from Ireland : iron works had been set up in different parts of the province, and it was an object of complaint in England, that, with a view to encourage those establishments, the provincial legislature had prohibited the exportation of iron ore.

The trade of the province of Massachusetts, differed from that of New Hampshire only in its extent, being by far more considerable ; the colonists were also extensively engaged in ship building and supplied the French

and Spanish with vessels, in return for rum, molasses, wines and silk, which were clandestinely introduced. They had already some East India trade, enjoying an advantage over the English ports, in the drawback for all India and other goods exported, which paid a duty in Great Britain, while no duty was paid upon importing them into the plantations. In some parts of the province, the inhabitants worked up their wool and flax, and made an ordinary coarse cloth for their own use; small quantities of cloth were also made of linen and cotton, for ordinary shirting and sheeting. A paper mill had lately been set up, nineteen forges for making bar iron, and six furnaces for cast iron or hollow ware, and one slitting mill, (the owner of which carried on a manufacture of nails) were counted in the province. Great quantities of hats were made, and some were exported to Spain, Portugal and the West India islands, and there were some rum distilleries and sugar refineries. Copper mines had been discovered, but so distant from water carriage, and the ore so poor, that they were not thought worth the digging. The greater part of the leather used in the province, was of its own manufacture. Brown hollands, duck, and sail cloth, began to be made, and the provincial legislature had passed laws for allowing a bounty on every piece of duck or canvass made, and for encouraging the erection of paper mills.

The province of Connecticut exported horses and lumber to the West India islands, and received in return, salt, rum and molasses; their manufactures were inconsiderable; the inhabitants who were not engaged in tillage, employed their time in tanning, shoemaking and other handicraft works.

Considerable iron works were carried on in the province of Rhode Island, but the other manufactures, and the commerce of this colony, were insignificant.

The trade of the province of New York, consisted chiefly in furs, whalebone, oil, pitch, tar, provisions, horses and lumber : they exported these last articles to the West India islands : there were hardly any manufactures in this colony ; some hats and coarse cloths were however made, and there were a few distilleries and sugar refineries.

The trade of the province of New Jersey, consisted chiefly in the same articles with that of New York, through the principal port of which it was almost exclusively carried. This province did not carry on any manufacture.

In the province of Pennsylvania, brigantines and sloops were built, which were sold to the people of the West India islands, with whom the trade of the colony was chiefly carried on : its exports, consisting of provisions, principally grain and lumber : some coarse woollens being all the articles it manufactured, none of which were exported, and a few only for sale, in a small Indian town, where a German palatine had lately settled.

In the southern provinces, Maryland, Virginia and Carolina, tobacco, naval stores and rice, were the greatest articles of exportation, chiefly for the European markets : large quantities of provisions and lumber were shipped to the West Indies. There were no manufactures ; a few hats, however, and cotton cloth, were made, but none for exportation.

It is not to be wondered at, that more trades were carried on, and more manufactories set up, in the northern provinces, especially in New England, than in the rest :

for, their soil, climate and produce, being nearly the same with that of England, they had no staple commodities to exchange for British manufactures, which laid them under greater temptations of providing for themselves at home. In the chartered governments, the little dependence on the mother country, and consequently the small restraints they were under, all measures detrimental to her interest, were additional inducements.

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END OF VOLUME I.

ERRATA.

Page	2, line 6, <i>for in, read before.</i>
6,	13, highest—thirtieth.
7,	21, VII.—IX.
49,	11, II.—III.
52,	1, colonies—colonists.
55,	19, <i>dele</i> not.
92,	2, II.—I.
95,	18 & 19, Carolina—Carolana.
98,	5, <i>after</i> archbishop, <i>add</i> of Canterbury.
100,	3, John—William.
128,	31, metropolis—mother country.
140,	9, they—the lords proprietors.
144,	32, returning—reserving.
157,	20, and—in.
189,	31, ever—even.
210	1, by—on.

APPENDIX.

NORTH CAROLINA, ss.

At a Council, held at the house of Frederick Jones, Esq. May 27th, 1719: Present, the honorable Charles Eden, Esq. governor, captain general and admiral; Thomas Pollock, William Reed, Ira Foster, Frederick Jones, and Richard Sanderson, Esquires, lords proprietors' deputies.


In pursuance of an order of council, dated April 4th, 1719, Tobias Knight, esq. secretary of this province, and a member of the council, attended this board, to make answer to the several depositions, and other evidences, mentioned in the aforesaid order; which said depositions and evidences were read, in the following words: Copies of several depositions, and other evidences, given before the court of admiralty, constituted by commission under the great seal, for hearing and determining cases of piracy, for the colony of Virginia, the 12th March, for the trial of James Blake, alias Jemmy, and other pirates, late of the crew of Edward Teache. Hezekiah Hand, late master of the sloop Adventure, commanded by Edward Teache, being sworn and examined, deposed, that he was on board the said sloop Adventure, at the taking of two French ships, in the month of August last past, and that all the prisoners at the bar were on board the said sloop, and bore arms under Teache at

the time of the said piracy; that Teache plundered one of the ships of some cocoa, and brought the other in with him to North Carolina, having first put her crew on board the ship first mentioned; that, soon after Teache arrived at Ocracock inlet, he went in a pirogue, with some of the prisoners, by names James Blake, Richard Stiles, James White and Thomas Gates, to Mr. Tobias Knight, secretary of North Carolina, carrying with him a present of chocolate, loaf sugar and sweetmeats, being a part of what was taken on board the French ships above mentioned, and that, upon Teache's return from Mr. Knight's, he, the deponent, saw divers goods brought in the pirogue, which Teache said he bought in the country, but the deponent afterwards hearing that one William Bell had been robbed, and understanding, as well by common report as by discourse with the said Bell, of what kind of goods he had been robbed, the deponent knew them to be the same which Teache had brought on board his sloop, but durst not discover to the said Bell who had robbed him. The four prisoners being asked whether they knew of the robbery of Bell's pirogue, acknowledged, that, some time in September, they went from Ocracock, in a pirogue, with Edward Teache, to the house of Tobias Knight, secretary of North Carolina, and carried in the said pirogue three or four kegs of sweetmeats, some loaf sugar, a bag of chocolate, and some boxes, the contents of which they did not know; that they got to the said Knight's house about twelve or one o'clock in the night, and carried up the kegs and boxes aforesaid, which were all left there, except one keg of sweetmeats, which was carried back in the pirogue; that the said Knight

was then at home, and the said Teache staid with him until about an hour before the break of day, and then departed; that, about three miles from the said Knight's house, at a place called Chester's landing, they saw a pirogue lying near the shore, upon which Teache ordered them to row up towards her, saying he would go ashore, to Chester's house, but when he came up with the said pirogue, (in which were a white man, a boy and an Indian,) Teache asked them for a dram, and immediately jumped aboard of the pirogue, and after some dispute, plundered her, carrying away with him some money, one cask of pipes, a cask of rum or brandy, some linen, and other things, and then the said Teache commanded the said prisoners to row away for Ocracock inlet, instead of going ashore at Chester's, as he first gave out he intended.

William Bell, of the precinct of Currituck, being sworn and examined, deposeth, that being on board his pirogue, at the landing of John Chester, on Panchicough river, in North Carolina, on the night of the 15th September last, a large pirogue passed by, standing up the river, that a little before break of day, the pirogue returned, and came on board the deponent; that a white man, who, he since understands, was Edward Teache, entered the deponent's pirogue, and asked him if he had any thing to drink, to which the deponent answered, it was so dark he could not well see to draw any, whereupon, the said Teache called for his sword, which was handed him from his own pirogue, and commanded the deponent to put his hands behind him, in order to be tied, swearing, damnation seize him, he would kill the deponent if he did not tell him truly where the money was; that

the deponent asked him who he was and whence he came, to which the said Teache replied, he came from hell, where he would carry him presently; that the said deponent laid hold of the said Teache and struggled with him, upon which he called to his men to come on board to his assistance, and they came and laid hold of the deponent, his son and an Indian he had with him; that then the said Teache demanded his pistols, and the deponent telling him they were locked up in his chest, he was going to break it open; but the deponent intreated him not do so, saying he would unlock it, but though he permitted the deponent to open the chest, he would not suffer him to put his hands therein, but took his pistols out himself; that the said Teache having got the deponent's pirogue out into the middle of the river, rifled her, took away £66 10 in cash, one piece of crape, containing fifty-eight yards, a box of pipes, half a barrel of brandy, and several other goods, the particulars are mentioned in an account the deponent now delivered into court; that, particularly, the deponent was robbed of a silver cup, of a remarkable fashion, being made to screw in the middle, the upper part resembling a chalice the lower a tumbler, which cup, the deponent is informed, has been found on board Teache's sloop; that when the said Teache and his crew had taken what they thought fit from the deponent, they tossed his sails and oars overboard, and then rowed down the river; that the said Teache, in beating the deponent, broke his sword about a quarter of a yard from the point, which broken piece of the sword the deponent found in the pirogue, and now produces in court; and this deponent verily believes Teache had intelligence of his



having money, otherwise he would have passed by in returning from, as he did in going to, Mr. Knight's, without concerning himself with the pirogue: and the deponent further saith, that within two hours after he had been thus robbed, he went to complain to the governor of North Carolina, who sent him to Mr. Knight's, then chief justice, upon which the said Knight gave him the warrant of hue and cry, which he now produces in court, and that, notwithstanding the deponent did particularly describe the pirogue, and the men by whom he had been robbed, and did repeat, as near as he could, the language the white man used to the deponent, and declared that the other four were negroes, or white men disguised as such, and that the said pirogue had passed by the same night towards his house, or Bath town, yet the said Tobias Knight did not discover to the deponent that any such pirogue had been at his house, or that he knew of Teache's being in the country. There was produced a letter from the before named Tobias Knight, directed to captain Edward Teache, on board the sloop Adventure, which letter was proved to have been found among Teache's papers, after his death, and by comparison of the hand with other papers, appears to be the writing of the said Tobias Knight, which said letter was read, and is as follows:

November 17, 1717.

MY FRIEND: If this finds you yet in harbour, I would have you make the best of your way up, as soon as possible your affairs will let you. I have something more to say to you than, at present I can write; the bearer will tell you the end of our Indian

war, and Ganet can tell you, in part, what I have to say to you; so I refer you, in some measure, to him. I really think these three men are heartily sorry at their difference with you, and will be very willing to ask your pardon. If I may advise, be friends again; it is better to, than falling out among yourselves. I expect the governor this night, or to-morrow, who, I believe, would be glad likewise to see you, before you go. I have not time to add, save my hearty respects to you, and am your real friend and servant.

T. KNIGHT.

After which, captain Ellis Brand, commander of his majesty's ship the *Syren*, declared, that, having received information of twenty barrels of sugar and two bags of cotton, lodged by Edward Teache at the house of Tobias Knight, he asked the said Knight for those goods, they being part of the cargo piratically taken from the French ship, and that the said Knight, with many asseverations, positively denied that any such goods were about his plantation; but yet the next day, when the said captain Brand urged the matter home to him, and told him of the proofs he could bring, as well by the persons concerned in landing the said goods, as by memorandums in Teache's pocket-book, he, the said Knight, owned the whole matter, and the piratical goods aforesaid were found in his barn, covered with fodder.

At a Court of Admiralty, continued and held at the Capital, the 13th day of March, 1718.

Whereas it has appeared to this court, Mr. Tobias Knight, Secretary of North Carolina, hath given just

cause to suspect his being privy to the piracies, committed by Edward Teache and his crew, and hath received and concealed the articles by them piratically taken, whereby he has become an accessory.

It is, therefore, the opinion of this court, that a copy of the evidences given to this court, so far as they relate to the said Tobias Knight's behaviour, be transmitted to the governor of North Carolina, to the end; he may cause the said Knight to be apprehended and proceeded against, pursuant to the directions of the act of parliament, for the more effectual suppression of piracy.

And then the said Tobias Knight did remonstrate to this board, in answer thereto, as followeth:

NORTH CAROLINA.

To the honorable Charles Eden, governor, and to the rest of the members of the honorable the council, now sitting:

The humble remonstrance of Tobias Knight, esq. secretary of this province, and a member of this board, in answer to the several depositions, and other pretended evidences, taken against him, at a court of admiralty, holden at the capital, in Virginia, on the 12th day of March, 1718. First, The said Tobias Knight doth aver for truth, and doubts not to make it evidently appear, that he is not, in anywise whatsoever, guilty of the least of these crimes, which are so slyly, maliciously and falsely suggested and insinuated against him, by the said pretended evidence. The which to make more apparent to your honors, the said Tobias Knight doth pray your honors, first, to consider as to the evidences themselves; they being such as contradict themselves, or as not to be taken in any

court of record, or elsewhere, against the said Tobias Knight, or any other white man; for, first, Hezekiah Hands, master of captain Teache's sloop Adventure, seems to swear positively, in his deposition, that the said Teache went from Ocracock inlet, on his return to this country, from his last voyage, with a present to the said Tobias Knight's house, when, by the same deposition, he acknowledgeth that to be out of the reach of his knowledge, he being all the time at the said inlet, which lies at above thirty leagues distance from his house; and, further, the said Tobias Knight doth pray your honors to observe, that the aforesaid Hezekiah Hands was, as he has been well informed, for some time before the giving of the said evidence, kept in prison, under the terrors of death, or a most severe prosecution, and that there doth apparently appear throughout the whole evidence, more of art, malice and design against the said Tobias Knight than truth. Secondly, As to the four next evidences pretended to be given against the said Tobias Knight, under the name and pretext of four of captain Teache's men, is utterly false, and such as the said Tobias Knight humbly conceives ought not to be taken against him, for that they are, though cunningly couched under the names of Christians, no other than four negro slaves, who, by the laws and customs of all America, ought not to be examined as evidence, neither is their evidence of any validity against any white person whatsoever; and, further, that the said negroes, at the time of their giving the pretended evidence aforesaid, as the said Tobias Knight is informed, were upon trial for their own lives, for the supposed piracies by them committed on board the said Teache, and that what they did then say was in

hopes of obtaining money, though they were then condemned, and since executed, so that, had they been ever so lawful evidences, the said Tobias Knight is debarred from his right and benefit of an examination of them. Thirdly, as to the deposition of Wm. Bell, I shall only observe to your honours that there is nothing in it, that can affect the said Tobias Knight, save that it is therein cunningly suggested that Edward Teache was at the said Tobias Knight's house, the night in which he was robbed, which the said Tobias Knight has good reason to believe was rather an artful and malicious design of those that drew the said deposition; for, had it been true, it was impossible to have been within the reach of his knowledge, and besides the said Bell, upon his examination, the day after he was robbed, had in suspicion one Smith Undy, Tetery Dick, and others, and hath since the date of that deposition, viz: on or about the 25th of April last past, declared, that he doth verily believe, that the said Teache was not at that time at the said Tobias Knight's house, for the truth of which, the said Tobias Knight doth humbly refer to the examination and deposition of Mr. Edmund Chamberlain. Fourthly, as to the pretended evidence of captain Ellis Brand, the said Tobias Knight doth humbly conceive the same ought not to affect him; for had it been true, it should, and ought to have, been upon oath, which it is not, though the said Tobias Knight doth, in the most solemn manner, aver that the said pretended evidence is every word false, and that the said Brand never did, at any time, speak one word, or mention to the said Knight, in any manner whatsoever, touching or concerning

the sugar mentioned in the said evidence, before the said Knight first mentioned it to him, neither was the said sugar ever denied by the said Tobias Knight to be in his custody, for the truth of which he humbly refers to the honorable the governor; but further saith that, when the said Tobias Knight was apprised, that the said Brand had been informed, that the said sugar had been connivingly put on shore for the said Knight's use, and that there might be found in his custody several things of value, belonging to the said Teache, and that the said Brand did intend to send his people to search his, the said Knight's house, he did then speak himself to the said Brand, and did acquaint him truly how, and for what reason, the said sugar was there lodged, viz: at the request of the said Teache, only, till a more convenient store could be procured, by the governor, for the whole, with assurance that the said Tobias Knight never did present any claim or right to any part thereof, and did, also, at the same time desire the said Brand, if he had any other information against him, he would be so civil as either to come himself, or send his secretary, to his house, and every lock in his said house should be opened to him, to which he only replied, that, though he had some spiteful things insinuated to him by evil minded persons, whose names he need not mention, intimating Mr. Maurice Moore, Jeremiah Vail, and others of that family, yet he had more honor than to do any such thing; for, that, ever since his coming into this government, he had found nothing in the said Tobias Knight, but a great deal of readiness to assist him in the service of the crown, very much becoming a gentleman, and one in his post,

which character he should give of him in Virginia, in opposition to all the false and malicious stories there suggested against him, or words to the same effect. Fifthly, as to the letter, that was said to be found, of the said Tobias Knight's writing, on board the said Teache's sloop, the said Knight doth believe to be true, for that he did write such a letter, by the governor's orders; he having advised him by letter that he had some earnest business with the said Teache; but he doth utterly deny that there was any evil intent in writing the said letter, but that he did verily believe, at the same time, that the said Teache was as free a subject of our lord the king, as any person in the government; and the said Tobias Knight doth further say, in his own justification, that when the said Teache and his crew first came into this government and surrendered themselves, pursuant to his majesty's proclamation of indemnity, the said Tobias Knight then was, and for a long time had been, confined to his bed by sickness, and that during his whole stay in this government he never was able to go from his plantation, nor did either the said Teache, or any of his crew, frequent the said Knight's house, unless when they had business at his office, as secretary or collector of the king's customs; neither did the said Tobias Knight, nor any of his family, contract any acquaintance with the said Teache, or any of his crew, nor did deal, buy or sell any with, or of, any of them, during their whole stay, save only two negro slaves, which the said Knight purchased from two men, who had received their pardons, and since are gone lawfully out of this government, and still continue in their good allegiance, and the said Tobias Knight

doth aver for a truth, that from the time the said Teache took his departure from this government, bound to St. Thomas's, he did never see the said Teache, or any of his people, until on or about the 24th of September last past; when he came and reported to the governor, that he had brought a wreck into this government, and particularly, that the said Teache was not, to the said Knight's knowledge, nor to the knowledge of any of his family, at or near his house, on or about the 14th day of September last past, as is most falsely suggested in the aforesaid evidence, given against him in Virginia; for the truth whereof, he refers himself to the examination and deposition of Mr. Edmund Chamberlain, aforesaid.

All of which is most humbly submitted by your honors most dutiful and most obedient servant.


T. KNIGHT.

Then, Mr. Edmund Chamberlain was examined, and his deposition was read and sworn to before this board, in the following words:

NORTH CAROLINA, ss.

The deposition of Edmund Chamberlain, gent. taken upon his examination before the honorable the governor and council, at a council board, holden at Chowan, the 27th day of May, 1719, who being sworn on the the Holy Evangelist, saith: that he, this deponent, hath been for some considerable time past, viz: ever since the latter end of August last past, to this time, a resident at the house of Tobias Knight, esq. in Bath county, and that particularly on or about the 14th of September last past, and for several days before

and since, he never was absent from the said Tobias Knight's house, either by night or by day, nor, was there any passages or occurrences, as this deponent verily believes, kept a secret or unknown to him, and further, saith that this deponent did never see captain Edward Teache, nor any of his crew; neither was any of them to his knowledge at the said Tobias Knight's house, either by night or by day, until on or about the 24th day of the said last September, when, as this deponent is informed, he came up to the governor, and reported to him, that he had brought a wreck into this government; and this deponent doth verily believe that if the said Teache, or any of his crew, had come to the said Tobias Knight's, at any time, either by night or by day, before that time, and especially on or about the 14th of September, the said deponent must and should have seen them; because, at that time, there was an alarm of the heathens falling upon us, and this deponent was, at that time, and upon that account, very watchful, and apprehensive of every thing that stirred about the house, and the said Tobias Knight was also, at that time, in so ill a state of health, that this deponent verily believes he could not possibly have gone out of his house, to have had such communication with any person, as in the said pretended evidence is suggested, without manifest danger and hazard of his life; neither doth the deponent believe it was possible for the said Tobias Knight to have had such communication with any person, either within or without his said house, without his knowledge, for that his lodging room was so near to this deponent's, that he must have known thereof; and this deponent further saith, that he was at the said Tobias Knight's




house, on the 14th of September, when William Bell came and complained that he was robbed, and desired a hue and cry from the said Tobias Knight, and heard the said Tobias Knight examine the said Bell, whether he could describe the persons to him that robbed him; to which the said Bell said he could not, but said he did violently suspect one Thomas Undy and one Richard Snelling, commonly called Tettery Dick, to be two of them, and the others to be negroes, or white men disguised as such. Some time afterwards, he came again to the said Tobias Knight's, and had in suspicion one William Smith, and others: and this deponent further saith, that he never did see, or know of any presents, of any kind, to the said Tobias Knight, nor any of his family, from the said Teache, nor any of his crew, since his being at the said Tobias Knight's house, save only one gun, of about forty shillings value: and this deponent further saith, that some time, on or about the 25th of April last, he, the deponent had discourse with William Bell, of Currituck, merchant, concerning his being robbed of some money and goods, in Pamlico river, on or about the 14th day of September last, by captain Edward Teache, and among other things, he, the deponent, did ask the said Bell whether he thought the said Teache was at the said Tobias Knight's house the night he was robbed, or whether he thought he knew any thing of it, to which the said Bell replied, that the said Tobias Knight was a very civil gentleman, and his wife a very civil gentlewoman, and he did not think, or believe, that the said Teache was there, or that he knew any thing of the matter, or words to that effect.

EDMUND CHAMBERLAIN.

And this board having taken the whole into consideration, and it appearing to them, that the four evidences, called by the names of James Blake, Richard Stiles, James White and Thomas Gates, were actually no other than, four negro slaves, and since executed, as in the remonstrance is set forth, and that the other evidences, so far as they relate to the said Tobias Knight, are false and malicious, and that he hath behaved himself in that, and all other affairs wherein he hath been intrusted, as became a good and faithful officer; and, thereupon, it is the opinion of this board, that he is not guilty, and ought to be acquitted of the said crimes, and every of them, laid to his charge as aforesaid.

**A journal of the proceedings of the commissioners
for running the boundary line between Carolina
and Virginia.**

THE boundary betwixt the two governments having been long contested, it being uncertain what was meant by Currituck river, or gullet, in the king's charter, and many disputing which was Wyanoke creek, the line being to begin at the north end of Currituck river or gullet, but there was no river known by that name; Currituck being a large bay, extending northwardly and southwardly of the inlet, and the north end of it, above a dozen miles to the northward of the inlet, where the line ought to have begun, if by the river, or gullet, was meant the bay; but that not having been duly insisted on, the inlet in time began to be reputed the boundary, and the north-west river, and channel up to it, were acquiesced in as the natural bounds, which left all Nott's island in Virginia, to the southward of the inlet; but the governor of Virginia afterwards granted patents to the southward of the said river, when they thought it was to the northward of a west line from the inlet, viz: towards the head of the river, up to the dismal or great Pocason, on the west of which Pocason the bounds remaining unfixed, and great debates being about Wyanoke creek, to which the line was to run, the government of Virginia pretending it was a creek, since called Wiccons, and Carolina claiming it to be a place called Nottaway.



Commissioners were appointed by both governments to settle the matter; and depositions were taken, on both sides, concerning the Wyonoke Indians, who, at different times, lived in both places, but no satisfaction being that way obtained, and the observations made to find the latitude differing as widely, the Virginia commissioners making the latitude of Wiccons to be in 36 deg. 40 min. and Nottaway to be in 37 deg. or 37 deg. 16 min.; this egregious error, (as it is since demonstrated to be) broke off the conference not without some warmth, and undue reflections made on it by Virginia; and some time after the two governors, viz: colonel Spotswood, lieutenant governor of Virginia, and colonel Eden, governor of Carolina, had an interview upon it, meeting at Nansemond, and agreed on certain proposals about the boundaries which were interchangeably signed.

That from the mouth of Currituck river, or inlet, and setting the compass on the north shore thereof, a due west line be run, and fairly marked, and if it happen to cut Chowan river, between the mouth of Nottaway river and Wiccon's creek, then shall the same direct course be continued towards the mountains, and be ever deemed the dividing line between Virginia and Carolina. That if the said west line cuts Chowan river to the southward of Wiccon's creek, then, from that point of intersection, the bounds shall be allowed to continue up the middle of said Chowan river to the middle of the entrance into the said Wiccon's creek, and from thence a due west line shall divide the two governments. That, if the said west line cuts Black water river to the northward of

Nattaway river, then, from that point of intersection, the bounds shall be allowed to continue down the middle of said Black water river, to the middle of the entrance into the said Nottaway river, and from thence a due west line shall divide the said two governments.

That if a due west line shall be found to pass through islands, or to cut out slips of land, which might much more conveniently be included in the one province than the other, by natural water bounds, in such cases, the persons appointed for running the lines shall have power to settle natural bounds: Provided, the commissioners on both sides agree thereto, and that all variations from the west line be punctually noted in the maps or plats which they shall return, to be put upon the records of both governments.

On the last of February, 1729, the commissioners set off, and met the Virginia commissioners at Currituck, the fifth day of March, at the inlet, but some of them being delayed by the weather, nothing was done that day. . At night the variation was taken by the north star, viz: when the north star and the fourth in the great bear came on the meridian together, or on a perpendicular; which was done by a line hanging perpendicular from the end of a pole, and a moveable light, at some distance on the ground, to range at the same time in the line; and afterwards that light remaining fixed, and the perpendicular line set by the compass and the variance of that from the needle, is the variation which was found, about 3 degrees, and the sun's altitude the next morning made it much the same; and so again, when the north star was observed

the second night, so that it was agreed on to be the variation of the compass. The latitude, too, was observed, and found to be about 36 degrees and 31 minutes.

There was also a debate, at this conference, about the first station to set out from. The place being a little altered since the proposals were made, depositions were taken of the neighboring people. Thursday, March 7, a cedar post was fixed in the sand, on the north side of the inlet, for the first station, and a due west line set out with, viz: by the compass No. 87, west, and that day the line was run as far as Nott's island, about twenty rods to the northward of Wicker's house, and so across the island to the marsh, leaving about three hundred and fifty acres of upland of the island in Virginia, and two families; the rest of the island taken into Carolina, which is about five miles long, and also Jones, joining to it, which contains about two thousand acres and about half a score of families, thereby taken into Carolina, that before were in Virginia.

On the 8th of March, the line was run from Nott's island through the marsh and a part of Back bay, to the main, leaving a little of the marsh to the northward; but the greatest part taken into Carolina, of which, though some thousands acres partially surveyed, as could be learned only some by captain White, and about five hundred and forty acres by Mr. Morse. The main end is a point of land, made by Back bay and North river, about a mile and a half over, and was cut by the line near two miles from the end of the point, leaving about five or six families to the southward that had been reputed Virginians.

On the 9th of March, the line was continued across the point of Princess Anne county, striking North river to the northward of Richard Eisland's house, crossed the river and a great body of marsh, to the upland, near three miles to the northward of the mouth of Northwest river, which had been the reputed boundary.

On Sunday, March 10th, we rested at our camp at Marchand's plantation.

On the 11th, the line was continued to Northwest river, at the mouth of a small creek, running eastwardly towards Notham's house, being about a mile to the northward of Moyok creek, taking into Carolina, between North river and where it cuts Northwest river, about five or six thousand acres of land taken up, besides quantities of marsh and other land, including three thousand one hundred acres formerly belonging to governor Gibbs, now said to belong to the honorable Mr. Bladen, one of the lords of trade, there being five or six families in that space taken from Virginia.

On the 12th, the line was run from Northwest river, two hundred and thirteen chains, to a stooping red oak, by a path side that leads from John Monk's to Henry Bright's, being about twenty miles from the inlet, the line running about three quarters of a mile to the southward of a bridge of Northwest river, leaving about four or five poor families and small tracts of land in Virginia that before were reputed in Carolina, this being the first land that Virginia gained.

On the 13th, the line was continued to the edge of the Great or Dismal swamp, two hundred and seventy-eight chains, being about twenty-three miles and a

half from sea; the line this day running a few rods to southward of Richard Bellamy, sen.'s, leaving Henry Everidge to the southward of William Bellamy to the northward and Richard Lenton to the southward; and only three Carolina families were this day left into Virginia, though they all had but one tract of six hundred and forty acres of land among them; a few families, to the southward of Northwest river, were left in Virginia, who had Virginia patents before, and belonged thereto.

On the 14th, the line entered the Dismal, and it was the 28th before it was finished, though being found to be only about fifteen miles through in a direct course, and came out to the northward of Coreapeake swamp, greatly to the disappointment of the Virginians and to the great satisfaction of Carolina.

On the 29th, the line was run near the main road that leads from Perquimans to the White marsh, in Virginia, cutting the said road about seven or eight miles to the northward of captain Speight's, and a marked post was put up by the road.

On the 30th, the line was run five hundred and fifteen chains, near to Richard Parker's, whose house was left about one hundred rods to the southward.

On the 1st of April, the line was run nine hundred and thirteen chains, to Sommerton creek, cutting Sommerton road about a mile and a half to the southward of the Capple and Meherring ferry road, near William Speight's, whose plantation was split by the line, marked posts being put up on the main roads where the line crosses them.

On the 2d, the line was run seventy-two chains and a half, to Blackwater river, cutting the said river above.

the mouth of Nottaway, going south on a straight line forty-four chains; and the line was continued this day to the upland from Nottaway river to an Indian old field. It now appeared how the government of Virginia had been mistaken, and how exceedingly their former commissioners and surveyors had erred in their reports and observations from the Great or Dismal swamp to Blackwater river, being twenty-one miles and a half that were taken by the line into Carolina, a very great quantity of land, and a number of families that before had been under Virginia, of which the time would not admit to take an exact account, but computed to above one hundred thousand acres, and above three hundred titheables.

On the 3d, the variation was observed in the night, and found to be here 2 1-2, so the line was run by the compass north 87 degrees 30 minutes west, and continued one thousand and twenty-two chains this day, to the side of Meherring river, being above a quarter of a mile to the northward of the line run formerly by colonel Allen, by order of the government of Virginia, which was done without allowing for the variation of the compass, by which means some lands and two or three families were this day taken into Carolina from Virginia.

On the 4th, a conference of the commissioners was held, and it was proposed by those of Virginia, that, as the hot weather and the season for snakes and vermin, were about commencing, a continuation of the service might be dangerous; desiring the opinion of the commissioners, whether it would not be better to defer the finishing of the line till the fall. It was answered by the commissioners of Carolina, that they

would be governed in it by the gentlemen commissioners of Virginia, being willing to proceed if they would; but if they thought fit to defer it to the fall, it was submitted to. After some debate, it was agreed on to defer the matter until the fall for finishing the line, and the commissioners on both sides agreed to meet again on the 10th of September following, only this day to run the line to some better place to leave off at; and accordingly the line was continued, crossing the river Meherring three times, to a red oak on the west side thereof, about a mile above Mrs. Kinchen's, at whose house the commissioners broke up.

the royal assent was given the 12th May, 1749, and which is entitled "an act for encouraging the people known by the name of *Unitas Fratrum* or United Brethren, to settle his majesty's colonies in America," to be an ancient Protestant Episcopal church; that those who were settled in his majesty's colonies in America, had demeaned themselves there as a sober, quiet and industrious people, and that they shall be indulged with full liberty of conscience, and be exempted from personal military service for a reasonable compensation, and be permitted, instead of taking an oath, in cases where the laws require it, to make a solemn affirmation or declaration.

While these negotiations with the British parliament were pending, several lords and gentlemen became more intimately acquainted with the brethren, and made offers unto them of settlements on the continent of America and on the islands. Among all these offers, none came to effect but the purchase of a hundred thousand acres of land in North Carolina, in the territory of the earl of Granville, the president of the privy council. The view of this colony was, to give to such of the brethren's church and others, as should desire it, an opportunity of settling at a cheap rate, in a country as yet but little cultivated, to serve both in a temporal and spiritual sense the inhabitants, who were already settled there, and who should settle in their neighborhood, and to preach the gospel to them as well as to the Cherokees, Creeks and other Indians. The purchase of the land was made in the year 1751. August Gottlieb Spangenberg, one of the bishops of the *Unitas Fratrum*, who

then resided at Bethlehem, and had the superintendence of all the settlements and missions of the brethren in Pennsylvania, was commissioned to go with some brethren to North Carolina, in order to seek out, and survey the land. They departed in August, 1752, from Bethlehem for Edenton, and from thence with Mr. Churton, the general surveyor, to the head waters of the rivers Catawba, New river and Yadkin, where they spent several months before they could obtain their aim; during which time they suffered much by sickness, cold and hunger, till the end of the month of December. After having surveyed several small pieces of land on Catawba and New rivers, and at the Mulberry fields, on the Yadkin, they were led by the good hand of the Lord to a large tract of land on the east side of the Yadkin, full of springs, rivulets and creeks, well timbered, and, for the greatest part, good for agriculture and raising caule.

Bishop Spangenberg and the other brethren returned in January, 1753, to Bethlehem, having finished the survey of 73,037 acres, in fourteen numbers: to these, an additional survey was made by Mr. Churton, of 25,948 acres, in five numbers, in the same tract; making the total sum of 98,925 acres.

In conformity to an agreement made heretofore, between the right honorable John, earl of Granville, lord president of his majesty's most honorable privy council, sole proprietor of a certain district, territory or parcel of land, lying in the province of North Carolina, in America, on one part, and the count Zinzendorf, lord advocate, chancellor and agent of the *Unitas Fratrum*, or United Brethren, on their behalf. on the

other part; the aforesaid tract of land, in consideration of a certain sum of money to him, the said John, earl Granville, to be paid, was granted and conveyed to James Hutton, gentleman, secretary of the *Unitas Fratrum*, or United Brethren, his heirs and assigns, in trust and for the use, benefit and behoof of the said *Unitas Fratrum*, to be set out and surveyed in convenient tracts and parcels, according to the option and direction of such person or persons, as should be employed for that purpose by the lord advocate, chancellor and agent aforesaid, to hold the same to the said James Hutton, his heirs and assigns, at and under a yearly rent to be annually paid to the said John, earl Granville, his heirs or assigns, &c.

The general deed for the whole tract was sealed and signed the 7th August, 1753. Besides it, nineteen special deeds were made for each number of the said tract. As count Zinzendorf had also the title of lord of the valley Wachau, in Austria, the aforesaid tract of 98,985 acres, was named Wachau, or WACHOVIA.

In order to facilitate the improvement of the land, to furnish a part of the purchase money, and to defray the transport, journey and other expenses of the first colonists, a society was formed, under the name of *The Wachovia Society*, consisting of members of the brethren's church and other friends. The directors of it were bishop Spangenberg and Cornelius Van Laer, a gentleman residing in Holland. The members of it, who were about twenty, received in consideration for the money which they advanced, two thousand acres of the land. This society was

again dissolved, in the year 1763, having proved very beneficial, and answered the intended purpose. In the autumn of the year 1753, the first colonists, twelve single brethren,* or unmarried men, came from Bethlehem to settle upon the land. They had a waggon, six horses, caule, and the necessary household furniture and utensils for husbandry with them. After a very tedious and fatiguing journey, by way of Winchester, Evan's Gap and Upper Sauratown, on which they spent six weeks, they arrived on the land the 17th of November, and took possession of it. A small deserted cabin, which they found near the Mill creek, served them for a shelter, or dwelling house, the first winter.† They immediately began to clear some acres of land, and to sow it with wheat. In the year 1754, seven new colonists, likewise single brethren, came from Bethlehem. It was resolved, that on the same spot, where the first settlers had made already a small improvement, a town should be built, which was named *Bethabara*, (the house of passage) as it was meant only for a place of sojourning for a time, till the principal town, in the middle of the whole tract, could be built, at a convenient time. Bishop Bohler, who was here on a visit from Bethlehem, laid, on the 26th of November the corner stone for the first house in this

* Their names are : The reverend Bernhard Adam Grube, minister, Jacob Lash, warden, Hans Martin Kalberlahn, surgeon, Jacob Pfeil, shoemaker, Erich Ingebretsen and Henry Feldhausen, carpenters, Hans Petersen, taylor, Christoph Merkle, baker, Herrman Lash, miller, Jacob Lung, John Beroth and John Lisher, farmers.

† On the spot where this cabin stood a monument was erected in the year 1806, with the inscription, *Wachovia settlement, begun the 17th November, 1753.*

town, which was appointed for a church and dwelling house of the single brethren, with prayer and supplication to our Lord, that he might prosper the work. He likewise examined more accurately the greatest part of the Wachovia tract, divided it into proper parts for improvement, and gave names to several creeks, which are yet sometimes used, and are to be found in deeds and public records.

The *Mill creek*, on which Bethabara, or Old town, is built, was called *Johanna*, the *Muddy creek*, or Gargales, on which Bethany was afterwards built *Dorothy*, the *Middlefork*, on which now Salem, the principal town, stands, *Wach*, and the *Southfork*, which waters the Friedberg and Friedland settlements, *Ens*. In the year 1755, a mill was begun to be built, on Mill creek, near Bethabara, which proved a great benefit to the settlement, and the circumjacent country, as more inhabitants soon settled in the neighborhood. In the month of May, bishop David Nitschmann came on a visit from Bethlehem, and on the 11th of the same month, the first meeting house was consecrated, which solemn transaction was attended with a gracious feeling of the divine presence. Many travellers and neighbors have heard afterwards, in this house, the word of life, with joy and gratitude. The physician, or surgeon, soon acquired an extensive practice, which was a great benefit to this infant settlement. In the autumn of the same year, Wachovia was declared by an act of assembly a separate parish, and after the name of their governor, called *Dobb's parish*. The reverend Christopher Thomas Benzien, from Bethlehem, was commissioned to transact this business with

the assembly. This regulation lasted to the year 1756. The reverend Mr. Jacob Rodgers, who came in the year, 1758 from England, was the first minister, or rector, of Dobb's parish. His ministry, as the preaching of the gospel by the brethren in general, was attended with great blessing to many hearers in the different places, on Muddy creek, Southfork, &c. where they used to preach, and particularly to a great number of people, who, on account of the war with the Shawanoes and Delaware Indians, in 1756, and the following years, sought, and found, refuge with the brethren. The latter enclosed their town, Bethabara, and the adjacent mill, near which some of the fugitives built houses, with pallisadoes. As there was at the same time a great scarcity of corn in North Carolina and Virginia; for the crop of Indian corn, which is the chief support of the inhabitants, had failed, the brethren, who had reaped a great quantity of wheat and rye, were enabled to supply the wants, not only of these fugitives, but also of many other people.

In the year 1758, the Cherokees and Catawbias, who went to war against the Indians on the Ohio, often marched through Bethabara, in large companies, sometimes several hundreds at once, and the brethren were obliged to find them quarters and provisions for several days. The Cherokees were much pleased with the treatment which they met, and gave to their nation the following description of Bethabara: *The Dutch fort, where there are good people and much bread.*

As several of the fugitives, who had constantly attended the preaching of the gospel, and felt the power

of it, asked leave of the brethren to stay with them and to settle on their land, it was resolved in the year 1759, when bishop Spangenberg and the reverend Mr. John Ettwein, from Bethlehem, were present, to lay out another town, three miles to the north from Bethabara, on Muddy creek, in the northwest corner of Wachovia tract. This was done in the month of July, and two thousand five hundred acres of land assigned to the town lot, which the inhabitants of the town should hold for a certain yearly rent, after three years rent free, for the first settlers. The town was called *Bethany*. It was laid out, into thirty lots, fifteen of which in the upper part were assigned to the fugitives, and fifteen in the lower town were appointed for such families in Bethabara, (which settlement of late had received an increase of ten families from Bethlehem,) who might be inclined to begin husbandry and house-keeping for themselves; for, hitherto, every thing at Bethabara had been done and laid out for the common good, as was the case in Bethlehem, in the first beginning of that settlement. Bethabara was visited in the autumn of 1759, with an epidemical disorder, of which eleven persons died, and among them the German minister of the place, the reverend Christian Seidel, and the surgeon, Mr. Kalberlahn.

In the year 1760, the devastations and cruelties of the Cherokees, who had now joined the northern Indians in the war against the white people, put the inhabitants of Bethabara and Bethany under the necessity of being day and night continually upon their guard. Hostile Indians came often very near their towns, with an intention to destroy them, and to kill the inhabitants

or making them prisoners, but never ventured to make an attack. Often times, they were frightened by the ringing of the bell for meeting at church, which meetings the brethren in both places kept regularly on Sundays, and every evening in the week. Many soldiers, marching against the Indians, attended divine service in both places. In Bethany, about four hundred were present at it, on Easter Sunday. Besides the meeting house, ten dwelling houses were, in April, 1760, already built and inhabited, in this new town.

When peace was established, in the year 1761, with the Cherokees, the settlements increased in the following years in numbers, by new colonists from Pennsylvania, and trade and commerce began to flourish. At the end of the year 1765, the number of inhabitants in Bethabara was 88, and in Bethany 78. The greatest part in the latter place were farmers, and in the former tradesmen, as taylor, shoemakers, carpenters, potters, tanners, millwrights, gunsmiths, &c. In the year 1766, the beginning was made to build *Salom*, the principal settlement of the *Unitas Fratrum* in North Carolina, five miles to the south east from Bethabara. Hitherto, all the brethren and sisters who settled in North Carolina, came from Pennsylvania. But, in this year, the first company, consisting of ten persons, came from Germany, by way of London and Charleston. As bishop Spangenberg, who with unremitting zeal and diligence had superintended the affairs of these settlements, returned, in the year 1763, to Europe, Frederick William von Marshall, senior citizen of the *Unitas Fratrum*, was appointed in his place, in the year 1764. He laid out, in 1765, the

town of Salem, went in 1766 to Europe, to transact there the necessary business concerning this new settlement, and returned in 1768, with several brethren and sisters. In the conferences, which he had during his stay in Europe with the elders of the brethren's unity, it was resolved, that Salem should be built in the same manner, and have the same regulations as Herrnhut, Niesky, Bethlehem, and other settlements of the United Brethren, wherein the unmarried men and boys, and the unmarried women and girls, live in separate houses, by themselves. The house for the unmarried men, or single brethren, was built in the years 1768 and 1769.

In this and the following years, several families, chiefly farmers, from different parts of Pennsylvania, and the province of Maine, in New-England, settled on the Wachovia tract, and in the neighborhood of it, with a desire, that they and their children might be under the care of the brethren's church, and instructed by them in their way of life. Most of them were before in the connexion of the brethren, and had heard from them the gospel of our salvation through Christ's atoning blood and death, with a blessing for their souls. A part of the German families, who came from Pennsylvania, settled in the neighborhood of Bethany, where they attended regularly the meetings on Sunday: most of them having joined in the following time the brethren's church. Another part of said German families settled on the waters of the Southfork, in the southwest part of Wachovia. Several of these new, and some of the old, settlers in these parts, to whom the brethren had preached the gospel, since the year

1758, in the house of Adam Spach, were formed into a society of the brethren, and put themselves under their care in spiritual things. A meeting and school house was built on a piece of ground, consisting of seventy-seven acres, and consecrated for divine service on the 12th March, 1769. This settlement received the name of *Friedberg*. Another settlement in the south east part of Wachovia land, on the head waters of Southfork and on the Middlefork was begun in 1770, by about fourteen German families, who in this and the year before arrived from Broad bay, now York county, in Maine, in the state of Massachusetts. The first company, consisting of six families, was shipwrecked on their voyage from Broad bay to Wilmington, in North Carolina, near the island of Roanoke, but no lives were lost, and most of their goods saved. They found for the first, winter quarters and provisions in Salem, and assisted in building several houses in the new town. When the second company, consisting of eight families, accompanied by their minister, the reverend Mr. Soelle, arrived, the farm lots of the new settlement were laid out, in November, 1770, and the settlement called *Friedland*. In the middle of it, a lot of thirty acres was reserved for a meeting and school house. In the year 1771, the inhabitants in all the Wachovia settlements, and especially those in Bethabara, were in great danger, on account of the regulators, who were very numerous in these parts, and several times threatened to destroy the settlements of the brethren, as they would not join them in their opposition to government. Governor Tryon, after having obtained a complete victory over them, and re-esta-

blished order and peace, came with his army to Bethabara, to receive the oath of allegiance, and take the arms of all people in the neighborhood, who had opposed government. He and his army were highly gratified by the treatment they met from the brethren, and by their improvements and progress in agriculture and the mechanical arts. The brethren, on their part, acknowledged, with heartfelt gratitude, the mercy of God, in averting from them all evil in these perilous times, and in strengthening the arm of government for their protection.

In order to promote the internal and external welfare of the settlements of the brethren in North Carolina in general, and especially to assist in the regulations concerning the principal settlement at Salem, a deputation arrived this year from Europe, which was sent in conformity to a resolution, made in the general synod of the *Unitas Fratrum*, which was held in the year 1769, in Marienburg, in Germany. The deputies were two members of the elders' conference of the *Unitas Fratrum*, Christian Gregor and John Lorez, the first of whom was afterwards consecrated a bishop, and the latter a *senior civilis* of the brethren's church. Hans Christian von Schweiniz, Mr. von Marshall's son in law, one of the directors of the brethren's settlements in Pennsylvania, also assisted in this service. They arrived in September, 1771, from Pennsylvania, and having finished the work committed to their care, to the satisfaction of all the brethren and sisters, to whom this visit gave much joy and encouragement, they returned in November to Bethlehem. On the 13th of that month, the congre-

gation and meeting house in Salem, to which the corner stone had been laid on the 17th April, 1770, was consecrated.

In the year 1772, several English families, who lived in Carrollsmanor, in Frederick county, Maryland, and had been many years in connexion with the brethren's church, came to North Carolina, and began a settlement in the southwestern part of Wachovia tract, on the waters of Muddy creek. This settlement, which in the following year was increased by several other families from Maryland, received afterwards the name of *Hope*. A number of English families, living on the Yadkin river and Muddy creek, had the gospel preached unto them, since the year 1758, by the Rev. John Ethvein, Rogers, Usley and Soelle, and other ministers of the brethren's church, at stated times, in the houses of Christopher Elrod and Isaac Douthil, whereby they became connected with the brethren's church, and attended several years the meetings in Bethabara, Salem and Friedberg. Some of them became members of the latter congregation, the meeting house of which being the nearest to them. As these English families had a desire to have the gospel regularly preached unto them, in their own language, they, in conjunction with the English families arrived from Maryland, formed themselves into a society, with the intent to become in time a seuled congregation of the church of the United Brethren, and to build a meeting house in the new settlement, wherein divine service might be held, and the holy sacraments administered unto them in their own language. Salem received this year an increase of above

sixty persons from Bethabara and Pennsylvania; and Friedberg, its settlement and regulations as a congregation of the brethren's church, and the holy communion was held for the first time in the meeting house, which had been built in this settlement as early as the year 1769.

In the year 1773, Wachovia, formerly a part of Anson, and afterwards of Rowan county, became a part of Surry county. By an act of assembly, made in this year, it was confirmed to be a separate parish. A vestry was elected in April, consisting of twelve persons, and two church wardens were appointed. The Rev. John Michael Graff, minister of the congregation in Salem, to whom the Rev. Paul Tiersch, who came last year from Pennsylvania, was associated in this office, was on the 6th June consecrated in Bethlehem, a bishop of the *Unitas Fratrum*. He ordained, on the 17th October, in Salem, Ludolph Gottlieb Bachhoff and John Jacob Ernst, deacons of the brethren's church: this was the first act of ordination performed in Wachovia. The general direction of all the settlements and congregations of the brethren in North Carolina, was now committed to Frederick William von Marshall, *senior civilis*, and John Michael Graff, *ep. for.*, to whom were associated Paul Tiersch, presbyter, and Richard Usley, deacon. They had to superintend all the general concerns, as well internal as external, and to deliberate on them in conference, under the name of the *General Helpers' Conference for Wachovia*.

The special direction of the three congregations in Salem, Bethabara and Bethania, was vested in an

elders' conference, consisting of the above named persons and all the ministers and elders of said congregations, who met regularly once a week in Salem. Committees, elected by the church members, were anew appointed in every place to assist the elders' conference, in keeping good order, and in transacting the external affairs of their congregations. Similar committees were afterwards constituted in Friedberg, Friedland and Hope.

In the years 1774 and 1775, two faithful gospel ministers entered into the joy of their Lord, viz: the Rev. Paul Tiersch on the 16th October, 1774, and the Rev. Richard Usley on the 9th October, 1775. In the beginning of the latter, Frederick William von Marshall went to Europe, accompanied by his wife, and attended the general synod of the *Unitas Fratrum* in Barbey, in Saxony, as *senior civilis* and deputy of all the brethren's congregations in North Carolina. He took his way through South Carolina and Georgia, and visited the missionary settlement of the brethren, which in the preceding year had been commenced on general Habersham's estate, in Georgia, for the conversion of the negroes, and conducted unto the missionaries an assistant from Salem.

During the revolutionary war, which commenced in 1776, the settlements of the brethren in North Carolina, suffered great hardships and losses, but experienced at the same time many signal proofs of the gracious providence and powerful protection of the Lord, to whom alone they ascribed their preservation in these perilous times, and who inclined the hearts of superior and inferior magistrates, and officers of the

armies on both sides, to interpose in their favor, oftentimes when they found themselves in the greatest distress and anxiety.

In 1778, several brethren were drafted for military service in the army, and each of them had to pay £25 North Carolina currency for a substitute: ill disposed persons took out warrants on the lands of the brethren. The system of parishes being abolished, the name of Dobbs' parish ceased of course. In the new county of Wilkes, the court house was built on a tract of land on Yadkin river, near the Mulberry fields, which had been granted in the year 1754 by lord Granville to Henry Cossart, in trust for the *Unitas Fratrum*, and on which certain persons had settled without leave. This occasioned in the following time a law suit, between the *Unitas Fratrum* on one side, as plaintiffs, and the persons who settled on the land, as defendants.

In January, 1779, the Rev. Gottfried Präzel and Christian Heckwælder, were sent to the general assembly, then sitting at Halifax, with a petition, signed by the greatest part of the brethren in Salem, Bethabara, Bethania and Friedberg, praying to be exempted from taking the oath of abjuration, and for protection in the quiet possession of their land, as several persons had entered in the new established land office several parts of the Wachovia lands, and even the town lots of Salem, Bethabara and Bethania. Upon this petition, the general assembly made a law, that the brethren, if they should take the affirmation of allegiance and fidelity to the state of Carolina, and the United States, should remain in the quiet possession of their proper-

ty, and be exempted from all personal military duties, provided they pay a triple tax. In conformity to this law, the brethren took the affirmation of allegiance, and fidelity before a justice of the peace, and remained from that time undisturbed in the possession of their property, and of those privileges granted unto them by the before mentioned act of the British parliament and the assembly of this state.

A troop of light horse, belonging to general Plummer's corps, were quartered in May of the same year, several days in Salem, and attended public worship, with great satisfaction. Their deportment was very civil, and they paid all their expenses. As one of them had lately recovered from the small pox, the town of Salem was infected, and forty persons got the disorder, of whom two died. Frederick William von Marshall returned, with his wife, from Europe, after an absence of nearly five years, being there so long detained on account of the war. They made the voyage from London to New-York in company with bishop John Frederick Reichel, a member of the Unity's elder's conference, who was deputed by it to hold a visitation of all the brethren's settlements and congregations in the United States of America, and arrived, with his wife, in Salem, in June 1780, with some assistants for the service of the congregations in North Carolina. During his stay, from the 15th June to the 5th October, he published the resolutions of the last general synod of the *Unitas Fratrum*, which was held in Barby, in 1755, made the necessary regulations in conformity to them, ordained three deacons, baptised several adult persons, and strengthened the con-

gregations and their divisions according to the different ages and sexes, by his public and private discourses to them, in faith, love and hope. The Lord blessed his labor in a particular manner.

On the 20th August, he held the first holy communion, in *Hope*, in the meeting house in this settlement, which was built in 1779, and this congregation was now settled and regulated according to the tenets, rules and rites established in the brethren's church. The same was done by him in Friedland, on the 4th September, in which settlement the meeting house had been built already, in the year 1775. These transactions were blessed in both places with a gracious feelings of the presence of the Lord, and the members of the new formed congregations pledged themselves mutually, in a solemn manner, by grace to walk worthily their high calling in Christ Jesus, in truth and love. As the legislature of North Carolina had resolved to meet in November, in Salem, the governor, and several members of both houses, stayed there several weeks, but no quorum was formed. These gentlemen were much satisfied with the reception and treatment which they met. Salem became more known, and the brethren were regarded as a peaceable, industrious and benevolent society. In the year 1782, an act was passed by the general assembly of North Carolina, entitled, "An act to vest in Frederick William Marshall, esq. of Salem, in Surry county, the lands of the *Unitas Fratrum*, in this state, for the use of the said United Brethren, and for other purposes."^{*}

* It is as follows: "Whereas Frederick William Marshall, esq. of Salem, in Surry county, hath made it appear to this

On the 29th of August of the same year, bishop John Michael Graff, entered into eternal rest, and joy. The ministry of this meek and humble follower and faithful servant of Christ was blessed by his Lord in a particular manner to the congregation in Salem, and to all the brethren's congregation in North Carolina. The 4th of July in the year 1783, being set apart by the legislature of the state of North Carolina, as a day of prayer and thanksgiving, on account of the

general assembly, that all the tracts of land in this state, belonging to the lord advocate, the chancellor and agent of the *Unitas Fratrum*, or United Brethren, have been transferred to him from the former possessors, in trust for the *Unitas Fratrum*, or United Brethren; and whereas doubts have arisen whether the said tracts do not come within the description of the confiscation act, and to quiet the minds of those to whom conveyances have been, or are to be, made, or any part, or parts, thereof:

"Be it, therefore, enacted, by the general assembly of the state of North Carolina, and it is hereby enacted by the authority of the same, that a certain deed of lease and release, dated the 27th and 28th of October, 1778, from James Hutton, conveying the tract of Wachovia, in Surry county, be hereby declared valid in law, and to be admitted to probate in the county of Surry, and registered in the register's office, agreeable to the testimonials thereunto pertaining; and that all lands which, by a deed of bargain and sale of the 20th April, 1764, between William Churton and Charles Medcalf, registered in the county of Orange, in book No. 1, p. 106, and in Rowan county, in book 8, No. 5, p. 452, &c. were then conveyed to said Charles Medcalf, be hereby vested in the said Frederick W. Marshall, in trust as aforesaid, and all conveyances of the above mentioned lands, or any of them, made, or which shall be made, by the said Frederick W. Marshall shall be as good and valid, to all intents and purposes, as if the confiscation act had never passed.

"And be it further enacted, by the authority aforesaid: that the power of attorney of Christian Frederick Cossart, dated the 3d November, 1772, empowering said Frederick W. Marshall to sell his lands, be admitted to probate and registry in the county of Wilkes, and be as good and valid in law, as it could or might have been, had the act of confiscation never passed."

treaty of peace and amity between the United States and Great Britain, was celebrated in a very solemn manner in all the brethren's congregations in this state, with heartfelt gratitude towards the Lord, for his protecting care and help which they had enjoyed during the war, in hours of danger and affliction, and with fervent prayers for the welfare and prosperity of the United States in general, and the state of North Carolina in particular, to the glorification of his name, and the propagation of the Redeemer's kingdom.

On the 31st of January, 1784, the tavern in Salem took fire by accident, and the whole building was reduced to ashes. This, and a similar accident in Bethabara, where, in December, 1802, the distillery house was consumed by fire, were the two only cases of distress by fires in the settlements of the brethren in North Carolina. Salem received, in the year 1785, two fire engines from Europe, and a fire regulation was made in this town. Bishop Johannes von Wauwille, a member of the Unity's elders' conference, was deputed by the synod of the *Unitas Fratrum*, held in the year 1782, in Herrnhut, on a visitation of all the brethren's congregations in North America, and arrived, with his company, in May, 1784, in Bethlehem. They had a very tedious and dangerous voyage, and suffered shipwreck, on the the rocks on the coast of the small island of Barbuda, near Antigua. The reverend Daniel Kœhler, appointed minister of the congregation in Salem, in the place of the late bishop Graff, was in his company, and arrived, with his wife, and some assistants, in the month of October, in Salem.

In the same month of the next year, bishop Johannes von Wattenille came, with his lady, (daughter of the late count Zitzendorf,) to Salem, and returned to Bethlehem in May, 1806. His visitation of this and the other brethren's congregations in North Carolina, was attended with a particular blessing of the Lord. During his stay, the general helper's conference for the superintendence of all the brethren's congregation in North Carolina, was anew regulated and the baron Frederick W. von Marshall, John Daniel Kœhler, Godfrey Præzel and Christopher Lewis Benzien became members of it.

In the year 1787, a society was formed, under the name of "A society of the United Brethren, for propagating the gospel among the heathen." The members of this society, who reside in Pennsylvania, New-York, New-Jersey, Rhode Island and Maryland, had their first general meeting on the 1st November, 1787, in Bethlehem, and those who reside in North Carolina, on the 19th June, 1788, in Salem.

In the synod of the *Unitas Fratrum*, which was held in the year 1789, in Herrnliut, and which the reverend John Ettvien and Jacob van Vleck attended as deputies from the brethren's congregations in Pennsylvania, and the adjacent states, and the reverend Christopher Lewis Benzien, as deputy from the brethren's congregation in North Carolina, the reverend John Daniel Kœhler, minister of the congregation in Salem, was elected a bishop of the brethren's church, and consecrated to this office on the 9th of May, 1790, in Litiz.

His excellency, general Washington, president of the United States, honored Salem, in the year 1791

on his tour through the southern states, with a visit, where he stayed two days, to the great joy and satisfaction of all the inhabitants, who paid him their regard in a respectful address, which he answered in an affectionate manner.

In the year 1792, Salem was afflicted by a malignant fever, of which fourteen persons died, all under thirty years of age, and whereby, for a time, all intercourse with the neighborhood was stopped. On the 9th of November, 1800, the consecration of a new church, in Salem, the corner stone of which was laid in 1798, was performed, in a very solemn manner. Most all of the brethren and sisters from the other settlements of the brethren in Wachovia, and a great number of neighbors and strangers, attended. All the transactions were accompanied with a gracious feeling of the divine presence.

On the 11th February, 1802, Frederick William von Marshall, *senior civilis*, was called into the eternal rest and joy, after a very laborious and useful life, of eighty-one years, of which he had spent more than fifty in the service of the *Unitas Fratrum*, and more than forty years in the service of the brethren's congregation in North Carolina, with great zeal and faithfulness, and under the blessing of the Lord, who crowned his undertakings with good success. By his last will, he devised to the reverend Christian Lewis Benzien the Wachovia and other tracts of land, which he possessed in trust for the *Unitas Fratrum*. As bishop Kœhler, who went, with his wife, at the end of the year 1800, to Europe, and attended the general synod of the *Unitas Fratrum*, which was held in the year 1801, in Herrnhut, as deputy of the brethren's

congregations in North Carolina, received, in the synod, another appointment, the reverend Charles Gottheld Reichel, from Nazareth, in Pennsylvania, was called, in his place, to be minister of the congregation in Salem, and being elected, in said synod, a bishop of the brethren's church, he was consecrated to this office on the 6th December, 1801, in Bethlehem. At the end of May, 1802, he came with his family, and some assistants, to Salem.

In the year 1803, the general direction of the brethren's congregation in North Carolina was committed by the Unity's elders' conference to the brethren Charles Gottheld Reichel, Christian Lewis Benzien and Simon Peter.

On the 17th November of said year, fifty years were completed since the arrival of the first twelve brethren from Bethlehem, who began the settlement of Wachovia. On this account, the day was celebrated as a jubilee by all the brethren's congregations in North Carolina, whose members met in Salem, and united in solemn praises and thanksgiving to our gracious Lord and Saviour, for all the favors and blessings which he had bestowed, in such a rich measure, during this period of fifty years, and in fervent prayers and supplications for a new outpouring of the spirit of grace, love and truth upon each congregation.

From the 25th October, 1806, to the 11th February, 1807, the reverend John Renatus Verbeck presb., and Charles von Forestier, *senior civilis*, two members of the Unity's elders' conference, were on a visitation in Salem, and the other brethren's congregations in North Carolina. The Lord blessed their labor abundantly, and strengthened thereby the bond of love and union

between the brethren's congregations in America and Europe, and other parts of the world, in a particular manner. Having visited all the congregations of the brethren's church in the United States, and likewise the mission settlements at Goshen and Pettus, in the state of Ohio, and at Fairfield, in Upper Canada, they returned, in October, 1807, to Europe. On their voyage from Philadelphia to Hamburg, they were detained in England, from whence they went, by way of Gottenburg and Copenhagen, to Hamburg, where they arrived at the end of May, 1808, safe and well, in Berthelsdorf, a village near Herrnhut, in Upper Lusatia, where at present the elders' conference of the *Unitas Fratrum* doth reside.

The following table shows the number of persons under the care of the brethren's church, in each of their settlements in North Carolina, children included, at the end of every decennium, from the 17th November, 1753, to the 31st December, 1807.

Settlements.	begun.	1753	1763	1773	1783	1793	1803	1807
Salem,	1766			192	185	241	290	316
Bethabara,	1753	12	77	54	73	94	81	92
Bethany,	1759		73	108	230	187	298	306
Friedberg,				57	232	220	331	346
Friedland,				32	133	173	135	183
Hope,				21	151	170	175	199
Total,		12	150	404	1004	1145	1305	1442

The beginning of the first settlement was made on the 17th November, 1753, with twelve persons:

Increase in the 1st ten years, from 1753 to 1763,	138 persons
“ 2d “ “ 1763 “ 1773,	254 “
“ 3d “ “ 1773 “ 1783,	600 “
“ 4th “ “ 1783 “ 1792,	141 “
“ 5th “ “ 1793 “ 1803,	160 “

Increase in fifty years, from 1753 “ 1803, 1305 persons
 “ four years, from 1803 “ 1807, 137 “

Increase in fifty-four years, from 1753 “ 1807, 1442 persons

By the church registers, which are kept regularly in each settlement, it appears, that in the period of fifty years, from the 17th November, 1753, to the 17th November, 1803, 1357 births and baptisms of children, and 665 deaths, were entered; so that the number of births exceeds that of deaths by 692, which is more than one half: besides about 1300 births and baptisms of children, whose parents do not belong to the brethren's church, are entered during the same period in the register.

Now follows a description of each settlement.

Salem, the principal settlement of the United Brethren in North Carolina, is situated in Stokes county, eighteen miles to the south from Germantown, the county town, and 110 miles to the south-east from Raleigh, in 36 deg. 10 min. north lat. and 3 deg. 15 min. lon. west from Washington. The town was laid out in 1765, after a regular plan, on a piece of elevated but broken ground, near the Middlefork or Wach, over which a bridge was built in 1771. The principal street in it is sixty feet wide, in a direction from south to north, leading from the south-eastern parts of the state to Virginia. This is intersected by a street 56 feet in width, from east to west, leading to the Shallowford of the river Yadkin, which is at a distance of 18 miles. The other streets are 40 feet wide. Nearly in the centre of the town, is a square, 300 by 170 feet, surrounded with large catalpa, sycamore, poplar and other trees. On the west side of this square, adjoining the main street, is a neat brick market house, which was built in 1803, and wherein also the fire engines of the town are kept in

APPENDIX.

a separate apartment. The town lots are 96 in number, from 66 to 85 in front, and from 170 to 280 in depth. Some are larger. The public buildings are:

1. *The church*, an elegant brick building, 92 by 45 feet, on the north-east corner of the square. It was built in the years 1798 to 1801, and consecrated on the 9th November, 1801, for divine service, which is held not only on Sundays, but every evening of the other days, chiefly in the German language. On the gallery, to the west side in the church, is a beautiful organ of fourteen stops: it is supposed to be at present the largest organ in the whole state of North Carolina. In the steeple, on the west end of the church, is the town clock, which strikes hours and quarters.

2. *The congregation house*, to the south of the church, wherein the ministers reside. In the upper story was the first meeting hall of the congregation at Salem, which is now used for children's and other private meetings. The house was built in 1771.

3. *The single brethren's house*, on the west side of the square, opposite the congregation house, wherein the large boys and unmarried men live and board. The northern part of this spacious house, which in front is two, and the back three stories high, was built in 1768, and the southern part, wherein apartments are for dining and sleeping, and for family worship, in 1786.

4. *The single sisters' house*, on the east side of the square, was built in 1785. The regulations are the same as in the single brethren's house. Some of the unmarried women and girls, who live and board in this house, get their livelihood by needle-

work, spinning, &c. The greater part of them are, in the day time, employed in the families with washing and other work.

5. *The school house for the boys*, on the north-west corner of the square, was built in 1794. The male children of the inhabitants of the town and of other members of the congregation, living in the neighborhood, receive from their sixth to their twelfth or fourteenth year, instruction in reading and writing German and English, cyphering, history, geography and some of them in the rudiments of the Latin language, drawing and music.

6. *The school house for the girls*, on the east side of the square, between the congregation and single sisters' houses, a neat and elegant brick building, 62 feet long and 42 feet deep, which was erected in the years 1803 and 1804. In the lower story are, besides a spacious entry, two large and some smaller apartments. In one of the first, the school for the female children in town is kept; the other is a dining room, for the young ladies who board in the house. In the upper story are three large apartments; in each of which, from fourteen to sixteen young ladies have room to live under the care of two tutoresses; a fourth apartment in this story, is to accommodate such as may become sick. Over and above these rooms, is a large hall, 60 feet long, 30 feet wide, and 14 feet high, wherein the young ladies sleep with their tutoresses. This seminary, which commenced in the year 1804, is under the direction of the minister and elders of the congregation in Salem, and under the special care and superintendence of an inspector, to

whom all parents and guardians, who intend to put young ladies into this school for education, have to apply. The branches taught are, reading, grammar, arithmetic, history, geography, German if desired, plain needlework, &c. Music and fine needlework, such as tambour and embroidery, including drawing, are two extra branches, in which instruction is given, if expressly desired. From the beginning of the institution, in May, 1804, to the end of the year 1807, about one hundred and twenty young ladies from North and South Carolina, Virginia, Kentucky, Tennessee and Georgia, received their education in it, of whom, at the end of 1807, forty-one remained in the seminary.

7. *The store*, contains a good assortment of merchandise. The goods are partly imported from Europe, partly taken from the merchants in Fayette, Petersburg, and chiefly in Philadelphia. This house was built in 1774, on the south-west corner of the square, opposite to the single sisters' house.

8. *The house of entertainment, or public tavern*, at the south-west end of the principal street, was built in 1772. In the year 1784, it was destroyed by fire, the only accident of this kind in Salem, and rebuilt of brick, as most all the public buildings are.

Besides these public buildings, the following are to be noted, viz: the post-office; the house of the doctor, with an apothecary shop, an elegant building on an eminence; the pottery; toy shop; the tannery and leather dressery: a great quantity of deer skins, cured and dressed here, are annually exported by way of Philadelphia to Hamburg. The other tradesmen and

mechanics in the town are: shoemaker, taylor, baker, carpenter, cabinetmaker, glover, hatter, saddler, wheelwright, turner, tinner, gunsmith, blacksmith, silversmith, watch and clockmaker, tobacconist, &c. In the neighborhood of the town are several mills, built on the Middle or Brushy fork and other small branches, as paper, oil, saw, grist and merchant mills, and a cotton machine. The whole number of persons, belonging to the Salem congregation, children included, was at the end of the year 1807, 316, whereof 233, besides 41 young ladies in the boarding school, lived in the town, and 83 in the neighborhood on their farms; the greatest part of them are of German extraction. The number of dwelling houses in the town was about 40; the town lot belonging to Salem, contains 3440 acres. The town is provided with water from several springs, about a mile distant from it, the water of which is conducted through wooden pipes into the town, and distributed in such a manner, that the greatest part of the inhabitants are supplied with it: there are also wells of good water in the town.

Bethabara, the first settlement of the United Brethren in North Carolina, was begun in 1753. It is situated in Stokes county, five miles to the north-west from Salem, near the Mill creek. It has a handsome church, with a steeple, built of stone in 1788; a store, tannery and distillery, and several other houses, inhabited by tradesmen, viz: hatter, shoemaker, potter, turner, &c. The street on which the houses are built, in a direction from south-east to north-west, is 66 feet wide. On the Mill creek is a merchant and saw mill.

The congregation at Bethabara consisted, at the end of the year 1807, of ninety-two persons, children included, all Germans; thirty-nine of whom lived in the town, and fifty-three on their farms, in the neighborhood, from a half to four miles distant. The town lot, belonging to Bethabara, contains 2118 acres.

Bethania, or Bethany, is situated in Stokes county, near Muddy creek, nine miles to the north-west from Salem, and three miles from Bethabara. The town which was laid out in 1759, of thirty lots, consists of a single street, 56 feet wide, in a direction from south south-west to north north-east. The houses are frame or log houses, most of them two stories high, and inhabited by farmers and tradesmen, viz: blacksmith, gunsmith, wheelwright, hatter, tanner, taylor, shoemaker, &c. As the church, or meeting house, in the middle of the town, which was built in 1771, began to be too small for the congregation, a new neat brick church, 62 feet long and 42 feet deep, with a steeple on it, was built in 1807 and 1808. There is also a good store, tavern and apothecary shop in the town, and near it a saw and grist mill. The congregation at Bethania consisted, at the end of the year 1807, of 306 persons, children included, all Germans; of whom 130 lived in the town and 176 on their farms in the neighborhood, from a half to ten miles distant. The town lot contains 2500 acres.

Friedberg settlement is situated partly in Rowan and partly in Stokes county. The meeting house, which was built in 1768, is in Rowan county, near the line of Stokes county, nine miles from Salem to the south-west, on a lot of seventy-seven acres, belonging

to it. The number of persons under the care of the brethren's church, in this settlement, children included, were at the end of the year 1807, 346: they live on their farms, from one quarter to ten miles distant from the meeting house, where they attend divine service on Sundays, which is held in the German language.

Friedland, or Broadbay settlement, is situated in Stokes county. The meeting house, which was built in 1774, on a lot of thirty acres, belonging to it, is five miles from Salem, to the east. At the end of 1807, the number of persons in this settlement, under the care of the brethren's church, was 183, children included. The most distant live five to six miles from the meeting house, where divine service is held every Sunday, in the German language.

Hope, or Maryland settlement, is situated in Stokes and Rowan counties. The meeting house, wherein divine service is held every Sunday, in the English language, was built in 1779, and is eight miles from Salem, to the west, near Muddy Creek, on a lot of thirty acres, belonging to it. The number of persons under the care of the brethren's church, were, at the end of 1807, 199, children included. The greatest part live on Muddy creek and its branches, and some on Yadkin river, into which Muddy creek empties itself about eight miles below the meeting house. Near the latter is a merchant mill, on said creek, and a toll bridge over it, and five miles from this, a bridge over Yadkin river.

About eight miles above the Hope meeting house, and ten miles from Salem, on the west side of Muddy creek, a meeting house was built in 1782, by a Ger-

man Lutheran and Reformed congregation, wherein since the year 1797 divine service is held, by one of the ministers of the brethren's church, every fourth Sunday, in the German language.

The foregoing was received from the late major R. Williams, of Raleigh, and is believed to have been written by bishop REICHEL.

The following piece, which appeared in the Virginia Gazette, of November 7, 1771, was written by Maurice Moore, then one of the associate justices of the superior court of North Carolina.

To his Excellency WILLIAM TRYON, Esquire.

I am too well acquainted with your character to suppose you can bear to be told of your faults with temper. You are too much of the soldier, and too little of the philosopher, for reprehension. With this opinion of your excellency, I have more reason to believe, that this letter will be more serviceable to the province of New-York, than useful or entertaining to its governor. The beginning of your administration in this province was marked with oppression and distress to its inhabitants. These, Sir, I do not place to your account; they are derived from higher authority than yours. You were, however, a dull, yet willing instrument, in the hands of the British Ministry, to promote the means of both. You called together some of the principal inhabitants of your neighborhood, and, in a strange inverted self-affecting speech, told them that you had left your native country, friends and connections, and taken upon yourself the government of North Carolina with no other view than to serve it. In the next breath, Sir, you advised them to submit to the stamp act, and become slaves. How could you reconcile such baneful advice with such friendly professions? But, Sir, self

contradictions with you have not been confined to words only; they have been equally extended to actions. On other occasions, you have played the governor with an air of greater dignity and importance than any of your predecessors; on this, your excellency was meanly content to solicit the currency of stamped paper in private companies. But, alas! ministerial approbation is the first wish of your heart; it is the best security you have for your office. Engaged as you were in this disgraceful negotiation, the more important duties of the governor were forgotten, or wilfully neglected. In murmuring, discontent and public confusion, you left the colony committed to your care, for near eighteen months together, without calling an assembly. The stamp act repealed, you called one; and a fatal one it was! under every influence your character afforded you, at this assembly, was laid the foundation of all the mischief which has since befallen this unhappy province. A grant was made to the crown of five thousand pounds, to erect a house for the residence of a governor; and you, Sir, were solely intrusted with the management of it. The infant and impoverished state of this country could not afford to make such a grant, and it was your duty to have been acquainted with the circumstances of the colony you governed. This trust proved equally fatal to the interest of the province and to your excellency's honour. You made use of it, Sir, to gratify your vanity, at the expense of both. It at once afforded you an opportunity of leaving an elegant monument of your taste in building behind you, and giving the ministry an instance of your great influence and address in your


new government. You, therefore, regardless of every moral, as well as legal obligation, changed the plan of a province house for that of a palace, worthy the residence of a prince of the blood, and augmented the expense to fifteen thousand pounds. Here, Sir, you betrayed your trust, disgracefully, to the governour, and dishonorably to the man. This liberal and ingenious stroke in politics may, for all I know, have promoted you to the government of New-York. Promotions may have been the reward of such sort of merit. Be this as it may, you reduced the next assembly you met to the unjust alternative of granting ten thousand pounds more, or sinking the five thousand they had already granted. They chose the former. It was most pleasing to the governour, but directly contrary to the sense of their constituents. This public imposition upon a people, who, from poverty, were hardly able to pay the necessary expenses of government, occasioned general discontent, which your excellency, with wonderful address, improved into a civil war.

In a colony without money, and among a people, almost desperate with distress, public profusion should have been carefully avoided; but, unfortunately for the country, you were bred a soldier, and have a natural, as well as acquired fondness for military parade. You were intrusted to run a Cherokee boundary about ninety miles in length; this little service at once afforded you an opportunity of exercising your military talents, and making a splendid exhibition of yourself to the Indians. To a gentleman of your excellency's turn of mind, this was no unpleasing prospect; you marched to perform it, in a

time of profound peace, at the head of a company of militia, in all the pomp of war, and returned with the honorable title, conferred on you by the Cherokees, of *Great Wolf of North Carolina*. This line or marked trees, and your excellency's prophetic title, cost the province a greater sum than two pence a head, on all the taxable persons in it for one year, would pay.

Your next expedition, Sir, was a more important one. Four or five hundred ignorant people, who called themselves regulators, took it into their head to quarrel with their representative, a gentleman honored with your excellency's esteem. They foolishly charged him with every distress they felt; and, in revenge, shot two or three musket balls through his house. They at the same time rescued a horse which had been seized for the public tax. These crimes were punishable in the courts of law, and at that time, the criminals were amenable to legal process. Your excellency and your confidential friends, it seems, were of a different opinion. All your duty could possibly require of you on this occasion, if it required any thing at all, was to direct a prosecution against the offenders. You should have carefully avoided becoming a party in the dispute. But, Sir, your genius could not lie still; you enlisted yourself a volunteer in this service, and entered into a negotiation with the regulators, which at once disgraced you and encouraged them. They despised the governor who had degraded his own character by taking part in a private quarrel, and insulted the man whom they considered, as personally their enemy. The terms of accommodation your excellency had offered them


were treated with contempt. What they were I never knew; they could not have related to public offences; these belong to another jurisdiction. All hopes of settling the mighty contest by treaty ceasing, you prepared to decide it by means more agreeable to your martial disposition, an appeal to the sword. You took the field in September 1768, at the head of ten or twelve hundred men, and published an oral manifesto, the substance of which was, that you had taken up arms to protect a superiour court of justice from insult. Permit me here to ask you, Sir, why you were apprehensive for the court? Was the court apprehensive for itself? Did the judges, or the attorney-general, address your excellency for protection? So far from it, Sir, if these gentlemen are to be believed, they never entertained the least suspicion of any insult, unless it was that, which they afterwards experienced from the undue influence you offered to extend to them, and the military display of drums, colours and guards, with which they were surrounded and disturbed. How fully has your conduct, on a like occasion since, testified, that you acted in this instance from passion, and not from principle! In September 1770, the regulators forcibly obstructed the proceedings of Hillsborough superior court, obliged the officers to leave it, and blotted out the records. A little before the next term, when their contempt of courts was sufficiently proved, you wrote an insolent letter to the judges, and attorney general, commanding them to attend it. Why did you not protect the court at this time? You will blush at the answer, Sir. The conduct of the regulators, at the preceding term, made it more than probable that those



gentlemen would be insulted at this, and you were not unwilling to sacrifice them to increase the guilt of your enemies.


Your excellency said, that you had armed, to protect a court. Had you said to revenge the insult you and your friends had received, it would have been more generally credited in this country. The men, for the trial of whom the court was thus extravagantly protected, of their own accord, squeezed through a crowd of soldiers, and surrendered themselves, as if they were bound to do so by their recognition.

Some of these people were convicted, fined and imprisoned; which put a end to a piece of knight errantry, equally aggravating to the populace and burthensome to the country. On this occasion, Sir, you were alike successful in the diffusion of a military spirit through the colony in the warlike exhibition you set before the public; you at once disposed the vulgar to hostilities, and proved the legality of arming, in cases of dispute, by example. Thus warranted by precedent and tempered by sympathy, popular discontent soon became resentment and opposition; revenge superceded justice, and force the laws of the country; courts of law were treated with contempt, and government itself set at defiance. For upwards of two months was the frontier part of the country left in a state of perfect anarchy. Your excellency then thought fit to consult the representatives of the people, who presented you a bill which you passed into a law. The design of this act was to punish past riots in a new jurisdiction, to create new offences and to secure the collection of the public



tax; which, ever since the province had been saddled with a palace, the regulators had refused to pay. The jurisdiction for holding pleas of all capital offences was, by a former law, confined to the particular district in which they were committed. This act did not change that jurisdiction; yet your excellency, in the fulness of your power, established a new one for the trial of such crimes in a different district. Whether you did this through ignorance or design can only be determined in your own breast; it was equally violative of a sacred right, every British subject is entitled to, of being tried by his neighbours, and a positive law of the province you yourself had ratified. In this foreign jurisdiction, bills of indictment were preferred, and found, as well for felonies as riots against a number of regulators; they refused to surrender themselves within the time limited by the riot act, and your excellency opened your third campaign. These indictments charged the crimes to have been committed in Orange county in a distinct district from that in which the court was held. The superior court law prohibits prosecution for capital offences in any other district, than that in which they were committed. What distinctions the gentlemen of the long robe might make on such an occasion I do not know, but it appears to me those indictments might as well have been found in your excellency's kitchen; and give me leave to tell you, Sir, that a man is not bound to answer to a charge that a court has no authority to make, nor doth the law punish a neglect to perform that, which it does not command. The riot act declared those only outlawed who refused to answer to indictments legally found. Those

who had been capitally charged were illegally indicted, and could not be outlaws; yet, your excellency proceeded against them as such. I mean to expose your blunders, not to defend their conduct; that was as insolent and daring as the desperate state your administration had reduced them to could possibly occasion. I am willing to give you full credit for every service you have rendered this country. Your active and gallant behaviour, in extinguishing the flame you yourself had kindled, does you great honour. For once your military talents were useful to the province; you bravely met in the field, and vanquished, an host of scoundrels whom you had made intrepid by abuse. It seems difficult to determine, Sir, whether your excellency is more to be admired for your skill in creating the cause, or your bravery in suppressing the effect. This single action would have blotted out, for ever, half the evils of your administration; but alas, Sir! the conduct of the general after his victory, was more disgraceful to the hero who obtained it, than that, of the man before it had been to the governor. Why did you stain so great an action with the blood of a prisoner who was in a state of insanity? The execution of James Few was inhuman; that miserable wretch was entitled to life till nature, or the laws of his country, deprived him of it. The battle of the Alamance was over; the soldier was crowned with success, and the peace of the province restored. There was no necessity for the infamous example of an arbitrary execution, without judge or jury. I can freely forgive you, Sir, for killing Robert Thompson, at the beginning of the battle; he was your prisoner, and was making his



escape to fight against you. The laws of self preservation sanctified the action, and justly entitle your excellency to an act of indemnity.

The sacrifice of Few, under its criminal circumstances, could neither atone for his crime nor abate your rage; this task was reserved for his unhappy parents. Your vengeance, sir, in this instance, it seems moved in a retrograde direction to that proposed in the second commandment against idolaters; you visited the sins of the child upon the father, and, for want of the third and fourth generation to extend it to, collaterally divided it between brothers and sisters. The heavy affliction with which the untimely death of a son had burthened his parents was sufficient to have cooled the resentment of any man, whose heart was susceptible of the feelings of humanity; yours, I am afraid, is not a heart of that kind? If it is, why did you add to the distresses of that family? Why refuse the petition of the town of Hillsborough in favour of them, and unresentingly destroy, as far as you could, the means of their future existence? It was cruel, sir, and unworthy a soldier.

Your conduct to others after your success, whether it respected person or property, was as lawless as it was unnecessarily expensive to the colony. When your excellency had exemplified the power of government in the death of a hundred regulators, the survivors, to a man, became proselytes to government; they readily swallowed your new coined oath, to be obedient to the laws of the province, and to pay the public taxes. It is a pity, sir, that in devising this oath you had not attended to the morals of those people. You might easily have restrained every cri-

minal inclination, and have made them good men, as well as good subjects. The battle of the Alamanca had equally disposed them to moral and to political conversion; there was no necessity, sir, when the people were reduced to obedience, to ravage the country, or to insult individuals.

Had your excellency nothing else in view than to enforce a submission to the laws of the country, you might safely have disbanded the army within ten days after your victory; in that time the chiefs of the regulators were run away, and their deluded followers had returned to their homes. Such a measure would have saved the province twenty thousand pounds at least. But, sir, you had farther employment for the army; you were, by an extraordinary bustle in administering oaths, and disarming the country, to give a serious appearance of rebellion to the outrage of a mob; you were to aggravate the importance of your own services by changing a general dislike of your administration into disaffection to his majesty's person and government, and the riotous conduct that dislike had occasioned into premeditated rebellion. This scheme, sir, is really an ingenious one; if it succeeds, you may possibly be rewarded for your services with the honour of knighthood.

From the 16th of May to the 16th of June, you were busied in securing the allegiance of rioters, and levying contributions of beef and flour. You occasionally amused yourself with burning a few houses, treading down corn, insulting the suspected, and holding courts martial. These courts took cognizance of civil as well as military offences, and even extended their jurisdiction to ill breeding and want of good

manners. One Johnston, who was a reputed regulator, but whose greatest crime, I believe, was writing an impudent letter to your lady, was sentenced, in one of these military courts, to receive five hundred lashes, and received two hundred and fifty of them accordingly. But, sir, however exceptionable your conduct may have been on this occasion, it bears little proportion to that which you adopted on the trial of the prisoners you had taken. These miserable wretches were to be tried for a crime made capital by a temporary act of assembly, of twelve months duration. That act had, in great tenderness to his majesty's subjects, converted riots into treasons. A rigorous and punctual execution of it was as unjust, as it was politically unnecessary. The terror of the examples now proposed to be made under it was to expire, with the law, in less than nine months after. The sufferings of these people could therefore amount to little more than mere punishment to themselves. Their offences were derived from public and from private impositions; and they were the followers, not the leaders, in the crimes they had committed. Never were criminals more justly entitled to every lenity the law could afford them; but, sir, no consideration could abate your zeal in a cause you had transferred from yourself to your sovereign. You shamefully exerted every influence of your character against the lives of these people. As soon as you were told that an indulgence of one day had been granted by the court to two men to send for witnesses, who actually established their innocence, and saved their lives, you sent an aid-de-camp to the judges, and attorney general to acquaint them that you were dissatisfied with

the inactivity of their conduct, and threatened to represent them unfavourably in England, if they did not proceed with more spirit and despatch. Had the court submitted to influence, all testimony, on the part of the prisoners, would have been excluded; they must have been condemned, to a man. You said that your solicitude for the condemnation of these people arose from your desire of manifesting the lenity of government, in their pardon. How have your actions contradicted your words! Out of twelve that were condemned, the lives of six only were spared. Do you know, sir, that your lenity on this occasion was less than that of the bloody Jeffries in 1685? He condemned five hundred persons, but saved the lives of two hundred and seventy.

In the execution of the six devoted offenders, your excellency was as short of general Kirk in form, as you were of judge Jeffries in lenity. That general honoured the execution he had the charge of with play of pipes, sound of trumpets, and beat of drums; you were content with the silent display of colours only. The disgraceful part you acted in this ceremony, of pointing out the spot for erecting the gallows, and clearing the field around for drawing up the army in form, has left a ridiculous idea of your character behind you, which bears a strong resemblance to that of a busy undertaker at a funeral. This scene closed your excellency's administration in this country, to the great joy of every man in it, a few of your own contemptible tools only excepted.

Where I personally your excellency's enemy, I would follow you into the shade of life, and show

you equally the object of pity and contempt to the wise and serious, and of jest and ridicule to the ludicrous and sarcastic. Truly pitiable, sir, is the pale and trembling impatience of your temper. No character, however distinguished for wisdom and virtue, can sanctify the least degree of contradiction to your political opinions. On such occasions, sir, in a rage, you renounce the character of a gentleman, and precipitately, mark the most exalted merit with every disgrace the haughty insolence of a governor can inflict upon it. To this unhappy temper, sir, may be ascribed most of the absurdities of your administration in this country. It deprived you of every assistance men of spirit and abilities could have given you, and left you, with all your passions and inexperience about you, to blunder through the duties of your office, supported and approved by the most profound ignorance and abject servility.

Your pride has as often exposed you to ridicule, as the rude petulance of your disposition has to contempt. Your solicitude about the title of *her excellency* for Mrs. Tryon, and the arrogant reception you gave to a respectable company at an entertainment of your own making, seated with your lady by your side on elbow chairs, in the middle of the ball room, bespeak a littleness of mind, which, believe me, sir, when blended with the dignity and importance of your office, renders you truly ridiculous.

High stations have often proved fatal to those who have been promoted to them; yours, sir, has proved so to you. Had you been contented to pass through life in a subordinate military character; with the pri-

vate virtues you have, you might have lived serviceable to your country, and reputable to yourself; but sir, when, with every disqualifying circumstance, you took upon you the government of a province, though you gratified your ambition, you made a sacrifice of yourself.

Your's &c.

ATTICUS.

[REDACTED]

THE Fundamental Constitutions of Carolina: as compiled by JOHN LOCKE.

OUR sovereign lord the king, having, out of his royal grace and bounty, granted unto us the province of Carolina, with all the royalties, properties, jurisdictions and privileges of a county palatine, as large and ample as the county palatine of Durham, with other great privileges; for the better settlement of the government of said place, and establishing the interest of the lords proprietors with equality, and without confusion; and that the government of this province may be made most agreeable to the monarchy under which we live, and of which this province is a part; and that we may avoid erecting a numerous democracy: we the lords and proprietors of the province aforesaid, have agreed to this following form of government, to be perpetually established amongst us, unto which we do oblige ourselves, our heirs and successors, in the most binding ways that can be devised.

1. The eldest of the lords proprietors shall be palatine; and, upon the decease of the palatine, the eldest of the seven surviving proprietors shall always succeed him.

2. There shall be seven other chief officers erected, viz. the admirals, chamberlains, chancellors, constables, chief justices, high stewards and treasurers; which places shall be enjoyed by none but the lords

proprietors, to be assigned at first by lot; and, upon the vacancy of any one of the seven great offices by death, or otherwise, the eldest proprietor shall have his choice of the said place.

3. The whole province shall be divided into counties; each county shall consist of eight signiories; eight baronies, and four precincts; each precinct shall consist of six colonies.

4. Each signiory, barony and colony, shall consist of twelve thousand acres; the eight signiories being the share of the eight proprietors, and the eight baronies of nobility; both which shares, being each of them one fifth part of the whole, are to be perpetually annexed, the one to the proprietors, the other to the hereditary nobility, leaving the colonies, being three fifths, amongst the people; so that in setting out and planting the lands, the balance of the government may be preserved.

5. At any time before the year one thousand seven hundred and one, any of the lords proprietors shall have power to relinquish, alienate and dispose, to any other person, his proprietorship, and all the signiories, powers and interest, thereunto belonging, wholly and entirely together, and not otherwise. But, after the year one thousand seven hundred, those who are then lords proprietors shall not have power to alienate or make over their proprietorship, with the signiories and privileges thereunto belonging, or any part thereof, to any person whatsoever, otherwise than as in §. XVIII; but it shall all descend unto their heirs male, and, for want of heirs male, it shall all

descend on that landgrave or cassique of Carolina, who is descended of the next heirs female of the proprietor; and, for want of such heirs, it shall descend on the next heir general; and, for want of such heirs, the remaining seven proprietors shall, upon the vacancy, choose a landgrave to succeed the deceased proprietor, who being chosen by the majority of the seven surviving proprietors, he and his heirs successively, shall be proprietors, as fully to all intents and purposes as any of the rest.

6. That the number of eight proprietors may be constantly kept; if, upon the vacancy of any proprietorship, the seven surviving proprietors shall not choose a landgrave to be a proprietor, before the second biennial parliament after the vacancy; then the next biennial parliament but one, after such vacancy, shall have power to choose any landgrave to be a proprietor.


7. Whosoever, after the year one thousand seven hundred, either by inheritance or choice, shall succeed any proprietor in his proprietorship, and signories thereunto belonging; shall be obliged to take the name and arms of that proprietor whom he succeeds; which from thenceforth shall be the name and arms of his family and their posterity.

8. Whatsoever landgrave or cassique shall any way come to be a proprietor, shall take the signories annexed to the said proprietorship; but his former dignity, with the baronnies annexed, shall devolve into the hands of the lords proprietors.

9. There shall be just as many landgraves as there are counties, and twice as many cassiques, and no more. These shall be the hereditary nobility of the province, and by right of their dignity be members of parliament. Each landgrave shall have four baronies, and each cassique two baronies hereditarily and unalterably annexed to, and settled upon, the said dignity.

10. The first landgraves and cassiques of the twelve first counties to be planted, shall be nominated thus: that is to say, of the twelve landgraves, the lords proprietors shall each of them, separately for himself, nominate and choose one; and the remaining four landgraves, of the first twelve, shall be nominated and chosen by the palatine's court. In like manner of the twenty-four cassiques, each proprietor for himself shall nominate and choose two, and the remaining eight shall be nominated and chosen by the palatine's court; and when the twelve first counties shall be planted, the lords proprietors shall again in the same manner, nominate and choose twelve more landgraves and twenty-four cassiques, for the twelve next counties to be planted; that is to say, two thirds of each number by the single nomination of each proprietor for himself, and the remaining one third by the joint election of the palatine's court, and so proceed in the same manner till the whole province of Carolina be set out and planted, according to the proportions in these Fundamental Constitutions.

11. Any landgrave or cassique at any time before the year one thousand seven hundred and one, shall



have power to alienate, sell, or make over, to any other person, his dignity, with the baronies thereunto belonging, all entirely together. But, after the year one thousand seven hundred, no landgrave or cassique shall have power to alienate, sell, make over, or let, the hereditary baronies of his dignity, or any part thereof, otherwise than as in §. XVIII; but they shall all entirely, with the dignity thereunto belonging, descend unto his heirs male; and, for want of heirs male, all entirely and undivided, to the next heir general; and for want of such heirs, shall devolve into the hands of the lords proprietors.

12. That the due number of landgraves and cassiques may be always kept up; if, upon the devolution of any landgraveship or cassiqueship, the palatine's court shall not settle the devolved dignity, with the baronies thereunto annexed, before the second biennial parliament after such devolution; the next biennial parliament but one after such devolution, shall have power to make any one landgrave or cassique in the room of him, who, dying without heirs, his dignity and baronies devolved.

13. No one person shall have more than one dignity, with the signiories and baronies thereunto belonging. But whensoever it shall happen that any one, who is already proprietor, landgrave, or cassique, shall have any of these dignities descend to him by inheritance, it shall be at his choice to keep which of the dignities, with the land annexed, he shall like best; but shall leave the other, with the lands annexed, to be enjoyed by him, who, not being his heir ap-

parent and certain successor to his present dignity, is next of blood.

14. Whosoever, by the right of inheritance, shall come to be landgrave or cassique, shall take the name and arms of his predecessor in that dignity, to be from thenceforth the name and arms of his family and their posterity.

15. Since the dignity of proprietor, landgrave, or cassique, cannot be divided, and the signiories or baronies thereunto annexed, must forever all entirely descend with, and accompany that dignity; whensoever, for want of heirs male, it shall descend on the issue female, the eldest daughter, and her heirs shall be preferred, and the inheritance of those dignities, and the signiories or baronies annexed, there shall be no co-heirs.

16. In every signiory, barony and manor, the respective lord shall have power. in his own name, to hold court-leet there, for trying of all causes both civil and criminal; but where it shall concern any person being no inhabitant, vassal, or leet-man of the said signiory, barony, or manor, he, upon paying down the sum of 40 shillings to the lords proprietor's use, shall have an appeal from the signiory or barony court to the county court, and from the manor court to the precinct court.

17. Every manor shall consist of not less than three thousand acres, and not above twelve thousand acres, in one entire piece and colony; but any three thousand acres or more in one piece, and the pos-

session of one man, shall not be a manor, unless it be constituted a manor by the grant of the palatine's court.

18. The lords of signiories and baronies shall have power only of granting estates not exceeding three lives, thirty-one years, in two thirds of said signiories or baronies, and the remaining third shall be always demesue.

19. Any lord of a manor may alienate, sell or dispose, to any other person and his heirs forever, his manor, all entirely together, with all the privileges and leet-men thereunto belonging, so far forth as any colony lands; but no grant of any part thereof, either in fee, for any longer term than three lives, or one and twenty years, shall stand good against the next heir.

20. No manor, for want of issue male, shall be divided amongst co-heirs; but the manor, if there be but one, shall all entirely descend to the eldest daughter and her heirs. If there be more minors than one, the eldest daughter first shall have her choice, the second next, and so on, beginning again at the eldest, till all the manors be taken up; that so the privileges which belong to manors being indivisible, the lands of the manors, to which they are annexed, may be kept entire, and the manor not lose those privileges, which, upon parcelling out to several owners, must necessarily cease.

21. Every lord of manor, within his manor, shall have all the rights, powers, jurisdictions and privi-

leges, which every landgrave or cassique hath in his baronies.

22. In every signiory, barony and manor, all the leet-men shall be under the jurisdiction of the respective lords of the said signiory, barony, or manor, without appeal from him. Nor shall any leet-man or leet-woman, have liberty to go off from the land of their particular lord, and live any where else, without license obtained from their said lord, under hand and seal.

23. All the children of leet-men shall be leet-men, and so to all generations.

24. No man shall be capable of having a court-leet or leet-men, but a proprietor, landgrave cassique, or lord of a manor.

25. Whoever shall voluntarily enter himself a leet-man, in the registry of a county court, shall be a leet-man.

26. Whoever is lord of leet-men, shall, upon the marriage of a leet-man or leet-woman, of his, give them ten acres of land for their lives; they paying to him, therefor, not more than one eighth part of all the yearly produce and growth of the said ten acres.

27. No landgrave or cassique shall be tried for any criminal cause, in any but the chief justice's court, and that by a jury of his peers.

28. There shall be eight supreme courts. The first called the palatine's court, consisting of the pal-

atine and the other seven proprietors. The other seven courts of the other seven great officers, shall consist each of them of a proprietor, and six counsellors added to him. Under each of these latter seven courts, shall be a college of twelve assistants. The twelve assistants of the several colleges shall be chosen, two out of the landgraves, cassiques, or eldest sons of proprietors, by the palatine's court; two out of the landgraves, by the landgraves' chamber; two out of the cassiques, by the cassiques' chamber; four more of the twelve shall be chosen by the commons' chamber, out of such as have been, or are, members of parliament, sheriffs, or justices of the county court, or the younger sons of proprietors, or eldest sons of landgraves or cassiques; the two others shall be chosen by the palatine's court, out of the same sort of persons, out of which the commons' chamber is to choose.

29. Out of these colleges shall be chosen at first, by the palatine's court, six counsellors, to be joined with each proprietor in his court; of which six, one shall be of those who were chosen in any of the colleges by the palatine's court, out of the landgraves, cassiques, or eldest sons of proprietors; one out of those who were chosen by the landgraves' chamber; and one out of those who were chosen by the cassiques' chamber; two out of those who were chosen by the commons' chamber; and one out of those who were chosen by the palatine's court, out of the proprietors younger sons, or eldest sons of landgraves, cassiques or commons, qualified as aforesaid.

30. When it shall happen that any counsellor dies, and thereby there is a vacancy, the grand council shall have power to remove any counsellor that is willing to be removed out of any of the proprietors courts, to fill up the vacancy; provided they take a man of the same degree and choice the other was of, whose vacant place is to be filled up. But if no counsellor consent to be removed, or upon such remove, the last remaining vacant place, in any of the proprietor's courts, shall be filled up by the choice of the grand council, who shall have power to remove out of any of the colleges, any assistant, who is of the same degree and choice that that counsellor was of, into whose vacant place he is to succeed. The grand council also shall have power to remove any assistant, that is willing, out of one college into another, provided he be of the same degree and choice. But the last remaining vacant place in any college, shall be filled up by the same choice, and out of the same degree of persons the assistant was of, who is dead or removed. No place shall be vacant in any proprietor's court above six months. No place shall be vacant in any college longer than the next session of parliament.

31. No man, being a member of the grand council, or of any of the seven colleges, shall be turned out for misdemeanor, of which the grand council shall be judge; and the vacancy of the person so put out, shall be filled, not by the election of the grand council, but by those who first chose him, and out of the same degree he was of who is expelled. But it is not hereby to be understood, that the grand council hath

any power to turn out any one of the lords proprietors or their deputies, the lords proprietors having in themselves an inherent original right.

32. All elections in the parliament, in the several chambers of the parliament, and in the grand council, shall be passed by balloting.

33. The palatine's court shall consist of the palatine and seven proprietors, wherein nothing shall be acted without the presence and consent of the palatine or his deputy, and three others of the proprietors or their deputies. This court shall have power to call parliaments, to pardon all offences, to make elections of all officers in the proprietor's dispose, and to nominate and appoint port towns; and also shall have power by their order to the treasurer to dispose of all public treasure, excepting money granted by the parliament, and by them directed to some particular public use; and also shall have a negative upon all acts, orders, votes and judgments, of the grand council and the parliament, except only as in §. vi. and xii; and shall have all the powers granted to the lords proprietors, by their patent from our sovereign lord the king, except in such things as are limited by these fundamental constitutions.

34. The palatine himself, when he in person shall be either in the army or in any of the proprietors courts, shall then have the power of general, or of that proprietor, in whose court he is then present; and the proprietor, in whose court the pal-


atine then presides, shall during his presence there be but as one of the council.

35. The chancellor's court, consisting of one of the proprietors, and his six counsellors, who shall be called vice-chancellors, shall have the custody of the seal of the palatinate, under which all charters of lands, or otherwise, commissions and grants of the palatine's court, shall pass. And it shall not be lawful to put the seal of the palatinate to any writing, which is not signed by the palatine or his deputy, and three other proprietors or their deputies. To this court also belong all state matters, dispatches, and treaties with the neighbour Indians. To this court also belong all invasions of the law, of liberty of conscience, and all disturbances of the public peace, upon pretence of religion, as also the licence of printing. The twelve assistants belonging to this court shall be called recorders.

36. Whatever passes under the seal of the palatinate, shall be registered in that proprietor's court, to which the matter therein contained belongs.

37. The chancellor or his deputy shall be always speaker in parliament, and president of the grand council, and, in his and his deputy's absence, one of his vice-chancellors.

38. The chief justice's court, consisting of one of the proprietors and his six counsellors, who shall be called justices of the bench, shall judge all appeals in cases both civil and criminal, except all



such cases as shall be under the jurisdiction and cognizance of any other of the proprietor's courts, which shall be tried in those courts respectively. The government and regulation of the registries of writings and contracts, shall belong to the jurisdiction of this court. The twelve assistants of this court shall be called masters.

39. The constable's court, consisting of one of the proprietors and his six counsellors, who shall be called marshals, shall order and determine of all military affairs by land, and all land-forces, arms, ammunition, artillery, garrisons, forts, &c. and whatever belongs unto war. His twelve assistants shall be called lieutenant-generals.

40. In time of actual war, the constable, whilst he is in the army, shall be general of the army, and the six counsellors, or such of them as the palatine's court shall for that time or service appoint, shall be the immediate great officers under him, and the lieutenant-generals next to them.

41. The admiral's court, consisting of one of the proprietors, and his six counsellors, called consuls, shall have the care and inspection over all ports, moles, and navigable rivers, so far as the tide flows, and also all the public shipping of Carolina, and stores thereunto belonging, and all maritime affairs. This court also shall have the power of the court of admiralty; and shall have power to constitute judges in port-towns, to try cases belonging to law-merchant, as shall be most convenient for trade, The

twelve assistants, belonging to this court, shall be called proconsuls.

42. In time of actual war, the admiral, whilst he is at sea, shall command in chief, and his six counsellors, or such of them as the palatine's court shall for that time and service appoint, shall be the immediate great officers under him, and the proconsuls next to them.

43. The treasurer's court, consisting of a proprietor and his six counsellors, called under-treasurers, shall take care of all matters that concern the public revenue and treasury. The twelve assistants shall be called auditors.

44. The high-steward's court, consisting of a proprietor and his six counsellors, called comptrollers, shall have the care of all foreign and domestic trade, manufactures, public buildings, work-houses, highways, passages by water above the flood of the tide, drains, sewers, and banks against inundations, bridges, post, carriers, fairs, markets, corruption or infection of the common air or water, and all things in order to the public commerce and health; also setting out and surveying of lands; and also setting out and appointing places for towns to be built on in the precincts, and the prescribing and determining the figure and bigness of the said towns, according to such models as the said court shall order; contrary or differing from which models it shall not be lawful for any one to build in any town. This court shall have power also to make any public building,

or any new high-way, or enlarge any old high-way, upon any man's land whatsoever; as also to make cuts, channels, banks, locks and bridges, for making rivers navigable, or for draining fens, or any other public use. The damage the owner of such lands (on or through which any such public things shall be made) shall receive thereby, shall be valued, and satisfaction made by such ways as the grand council shall appoint. The twelve assistants, belonging to this court, shall be called surveyors.

45. The chamberlain's court, consisting of a proprietor and his six counsellors, called vice-chamberlains, shall have the care of all ceremonies, precedence, heraldry, reception of public messengers, pedigrees, the registry of all births, burials, marriages, legitimation, and all cases concerning matrimony, or arising from it; and shall also have power to regulate all fashions, habits, badges, games and sports. To this court also it shall belong to convocate the grand council. The twelve assistants, belonging to this court, shall be called provosts.

46. All causes belonging to, or under the jurisdiction of any of the proprietors courts, shall in them respectively be tried, and ultimately determined, without any farther appeal.

47. The proprietors courts shall have a power to mitigate all fines, and suspend all executions in criminal causes, either before or after sentence, in any of the other inferior courts respectively.

48. In all debates, hearings, or trials, in any of the proprietor's courts, the twelve assistants belonging to the said courts respectively, shall have liberty to be present, but shall not interpose, unless their opinions be required, nor have any vote at all; but their business shall be, by the direction of the respective courts, to prepare such business as shall be committed to them; as also to bear such offices, and dispatch such affairs, either where the court is kept or elsewhere, as the court shall think fit.

49. In all the proprietor's courts, the proprietor, and any three of his counsellors, shall make a quorum; provided always, that, for the better dispatch of business, it shall be in the power of the palatine's court, to direct what sort of causes shall be heard and determined by a quorum of any three.

50. The grand council shall consist of the palatine and seven proprietors, and the forty-two counsellors of the several proprietor's courts, who shall have power to determine any controversies that may arise between any of the proprietor's courts, about their respective jurisdictions, or between the members of the same court, about their manner and methods of proceedings; to make peace and war, leagues, treaties, &c. with any of the neighbour Indians; to issue out their general orders to the constable's and admiral's courts, for the raising, disposing, or disbanding the forces, by land or by sea.

51. The grand council shall prepare all matters to be proposed in parliament, Nor shall any mat-

ter whatsoever be proposed in parliament, but what liath first passed the grand council; which, after having been read three several days in the parliament, shall by majority of votes be passed or rejected.

52. The grand council shall always be judges of all causes and appeals that concern the palatine, or any of the lords proprietors, or any counsellor of any proprietor's court, in any cause, which otherwise should have been tried in the court in which the said counsellor is judge himself.

53. The grand council, by their warrants to the treasurer's court, shall dispose of all the money given by the parliament, and by them directed to any particular public use.

54. The quorum of the grand council shall be thirteen, whereof a proprietor or his deputy shall be always one.

55. The grand council shall meet the first Tuesday in every month, and as much oftener as either they shall think fit, or they shall be convoked by the chamberlain's court.

56. The palatine, or any of the lords proprietors, shall have power under hand and seal, to be registered in the grand council, to make a deputy, who shall have the same power to all intents and purposes as he himself who deposes him; except in confirming acts of parliament, as in §. LXXVI, and except also in nominating and choosing landgraves and castiques, as

in §. x. All such deputations shall cease and determine at the end of four year, and at any time shall be revocable at the pleasure of the deputator.

57. No deputy of any proprietor shall have any power whilst the deputator is in any part of Carolina, except the proprietor, whose deputy he is, be a minor.

58. During the minority of any proprietor, his guardian shall have power to constitute and appoint his deputy.

59. The eldest of the lords proprietors, who shall be personally in Carolina, shall of course be the palatine's deputy, and if no proprietor be in Carolina, he shall choose his deputy out of the heirs apparent of any of the proprietors, if any such be there; and if there be no heir apparent of any of the lords proprietors above one and twenty years old in Carolina, then he shall choose for deputy any one of the landgraves of the grand council; and till he have by deputation under hand and seal chosen any one of the forementioned heirs apparent or landgraves to be his deputy, the eldest man of the landgraves, and, for want of a landgrave, the eldest man of the cassiques, who shall be personally in Carolina, shall of course be his deputy.

60. Each proprietor's deputy shall be always one of his own six counsellors respectively; and in case any of the proprietors hath not, in his absence out of Carolina, a deputy, commissioned under his hand and seal, the eldest nobleman of his court shall of course be his deputy.

61. In every county there shall be a court, consisting of a sheriff, and four justices of the county, for every precinct one. The sheriff shall be an inhabitant of the county, and have at least five hundred acres of freehold within the said county; and the justices shall be inhabitants, and have each of them five hundred acres a-piece freehold within the precinct for which they serve respectively. These five shall be chosen and commissioned from time to time by the palatine's court.

62. For any personal causes exceeding the value of two hundred pounds sterling, or in title of land, or in any criminal cause; either party, upon paying twenty pounds sterling to the lords proprietors use, shall have liberty of appeal from the county court unto the respective proprietor's court.


63. In every precinct there shall be a court, consisting of a steward and four justices of the precinct, being inhabitants, and having three hundred acres of freehold within the said precinct, who shall judge all criminal causes; except for treason, murder, and any other offences punishable with death, and except all criminal causes of the nobility; and shall judge also all civil causes whatsoever; and in all personal actions not exceeding fifty pounds sterling, without appeal; but where the cause shall exceed that value, or concern a title of land, and in all criminal causes; there either party, upon paying five pounds sterling to the lords proprietors use, shall have liberty of appeal to the county-court.

64. No cause shall be twice tried in any one court, upon any reason or pretence whatsoever.

65. For treason murder, and all other offences punishable with death, there shall be a commission, twice a year at least, granted unto one or more members of the grand council or colleges; who shall come as itinerant judges to the several counties, and with the sheriff and four justices shall hold assizes to judge all such causes; but, upon paying of fifty pounds sterling to the lords proprietors use, there shall be liberty of appeal to the respective proprietor's court.

66. The grand jury at the several assizes, shall, upon their oaths, and under their hands and seals, deliver in to the itinerant judges a presentment of such grievances, misdemeanors, exigences, or defects, which they think necessary for the public good of the county; which presentments shall, by the itinerant judges, at the end of their circuit, be delivered in to the grand council at their next sitting. And whatsoever therein concerns the execution of laws already made; the several proprietors courts, in the matters belonging to each of them respectively, shall take cognizance of it, and give such order about it, as shall be effectual for the due execution of the laws. But whatever concerns the making of any new law, shall be referred to the several respective courts to which that matters belong, and be by them prepared and brought to the grand council.

67. For terms, there shall be quarterly such a certain number of days, not exceeding one and twenty at any one time, as the several respective courts shall appoint. The time for the beginning of the




term, in the precinct-court, shall be the first Monday in January, April, July, and October; in the county-court, the first Monday in February, May, August, and November; and in the proprietors courts, the first Monday in March, June, September, and December.

68. In the precinct-court no man shall be a jury-man under fifty acres of freehold. In the county-court, or at the assizes, no man shall be a grand jury-man under three hundred acres of freehold; and no man shall be a petty jury-man under two hundred acres of freehold. In the proprietors courts no man shall be a jury-man under five hundred acres of freehold.

69. Every jury shall consist of twelve men; and it shall not be necessary they should all agree, but the verdict shall be according to the consent of the majority.

70. It shall be a base and vile thing to plead for money or reward; nor shall any one (except he be a near kinsman, not farther off than cousin-german to the party concerned) be permitted to plead another man's cause, till, before the judge in open court, he hath taken an oath, that he doth not plead for money or reward, nor hath nor will receive, nor directly nor indirectly bargained with the party, whose cause he is going to plead, for money or any other reward for pleading his cause.

71. There shall be a parliament, consisting of the proprietors or their deputies, the landgraves



and cassiques, and one freeholder out of every precinct, to be chosen by the freeholders of the said precinct respectively. They shall sit all together in one room, and have every member one vote.

72. No man shall be chosen a member of parliament, who hath less than five hundred acres of freehold within the precinct for which he is chosen; nor shall any have a vote in choosing the said member that hath less than fifty acres of freehold within the said precinct.

73. A new parliament shall be assembled the first Monday of the month of November every second year, and shall meet and sit in the town they last sit in, without any summons, unless by the palatine's court they be summoned to meet at any other place. And if there shall be any occasion of a parliament in these intervals, it shall be in the power of the palatine's court to assemble them in forty days notice, and at such time and place as the said court shall think fit; and the palatine's court shall have power to dissolve the said parliament when they shall think fit.

74. At the opening of every parliament, the first thing that shall be done, shall be the reading of these fundamental constitutions, which the palatine and proprietors, and the rest of the members then present, shall subscribe. Nor shall any person whatsoever sit or vote in the parliament, till he hath that session subscribed these fundamental constitutions, in a book kept for that purpose by the clerk of the parliament.

75. In order to the due election of members for the biennial parliament, it shall be lawful for the freeholders of the respective precincts to meet the first Tuesday in September every two years, in the same town or place that they last met in, to choose parliament-men; and there choose those members that are to sit the next November following, unless the steward of the precinct shall, by sufficient notice thirty days before, appoint some other place for their meeting, in order to the election.

76. No act or order of parliament shall be of any force, unless it be ratified in open parliament during the same session, by the palatine or his deputy, and three more of the lords proprietors or their deputies; and then not to continue longer in force but until the next biennial parliament, unless in the mean time it be ratified under the hands and seals of the palatine himself, and three more of the lords proprietors themselves, and by their order published at the next biennial parliament.

77. Any proprietor or his deputy may enter his protestation against any act of the parliament, before the palatine or his deputy's consent be given as aforesaid; if he shall conceive the said act to be contrary to this establishment, or any of these fundamental constitutions of the government. And in such case, after full and free debate, the several estates shall retire into four several chambers; the palatine and proprietors into one; the landgraves into another; the cassiques into another; and those chosen by the precincts into a fourth: and if the

major part of any of the four estates shall vote that the law is not agreeable to this establishment, and these fundamental constitutions of the government, then it shall pass no farther, but be as if it had never been proposed.

78. The quorum of the parliament shall be one half of those who are members, and capable of sitting in the house that present session of parliament. The quorum of each of the chambers of parliament shall be one half of the members of that chamber.

79. To avoid multiplicity of laws, which by degrees always change the right foundations of the original government, all acts of parliament whatsoever, in whatsoever form passed or enacted, shall, at the end of an hundred years after their enacting, respectively cease and determine of themselves, and without any repeal become null and void, as if no such acts of laws had ever been made.

80. Since multiplicity of comments, as well as of laws, have great inconveniences, and serve only to obscure and perplex; all manner of comments and expositions on any part of these fundamental constitutions, or any part of the common or statute law of Carolina, are absolutely prohibited.

81. There shall be a registry in every precinct, wherein shall be enrolled all deeds, leases, judgments, mortgages, and other conveyances, which may concern any of the land within the said precinct; and all such conveyances not so entered or

registered, shall not be of force against any person nor party to the said contract or conveyance.

82. No man shall be register of any precinct, who hath not at least three hundred acres of freehold within the said precinct.

83. The freeholders of every precinct shall nominate three men; out of which three, the chief justice's court shall choose and commission one to be register of the said precinct, whilst he shall well behave himself.

84. There shall be a registry in every signiory, barony and colony, wherein shall be recorded all the births, marriages and deaths, that shall happen within the respective signiories, baronies and colonies.

85. No man shall be register of a colony, that hath not above fifty acres of freehold within the said colony.

86. The time of every one's age, that is born in Carolina, shall be reckoned from the day that his birth is entered in the registry, and not before.

87. No marriage shall be lawful, whatever contract and ceremony they have used, till both parties mutually own it before the register of the place where they were married, and he register it, with the names of the father and mother of each party.

88. No man shall administer to the goods, or have right to them, or enter upon the estate of any person deceased, till his death be registered in the respective registry.

89. He that doth not enter in the respective registry the birth or death of any person that is born or dies in his house or ground, shall pay to the said register one shilling per week for each such neglect, reckoning from the time of each birth or death respectively, to the time of registering it.

90. In like manner the births, marriages and deaths of the lords proprietors, landgraves and casiques, shall be registered in the chamberlain's court.

91. There shall be in every colony one constable, to be chosen annually, by the freeholders of the colony; his estate shall be above a hundred acres of freehold within the said colony, and such subordinate officers appointed for his assistance as the county court shall find requisite, and shall be established by the said county court. The election of the subordinate annual officers shall be also in the freeholders of the colony.

92. All towns incorporate shall be governed by a mayor, twelve aldermen and twenty-four of the common council. The said common council shall be chosen by the present householders of the said town; the aldermen shall be chosen out of the common council; and the mayor out of the aldermen, by the palatine's court.

93. It being of great consequence to the plantation, that port towns should be built and preserved; therefore, whosoever shall lade or unlade any commodity at any other place but a port town, shall forfeit to the lords proprietors, for each ton so laden or unladen, the sum of ten pounds sterling; except only such

goods as the palatine's court shall license to be laden or unladen elsewhere.

94. The first port town upon every river shall be in a colony, and be a port town forever.

95. No man shall be permitted to be a freeman of Carolina, or to have any estate or habitation within it, that doth not acknowledge a God; and that God is publicly and solemnly to be worshipped.

96. [As the country comes to be sufficiently planted and distributed into fit divisions, it shall belong to the parliament to take care for the building of churches, and the public maintenance of divines, to be employed in the exercise of religion, according to the church of England; which being the only true and orthodox, and the national religion of all the king's dominions, is so also of Carolina; and, therefore, it alone shall be allowed to receive public maintenance, by grant of parliament,*]

97. But since the natives of that place, who will be concerned in our plantation, are utterly strangers to Christianity, whose idolatry, ignorance, or mistake, gives us no right to expel, or use them ill; and those who remove from other parts to plant there, will unavoidably be of different opinions concerning matters of religion, the liberty whereof they will expect to have allowed them, and it will not be reasonable for us, on this account, to keep them out; that civil peace may be maintained amidst the diversity of opinions,

*This article was not drawn up by Mr. Locke; but inserted by some of the chief of the proprietors, against his judgment; as Mr. Locke himself informed one of his friends, to whom he presented a copy of these constitutions.

and our agreement and compact with all men may be duly and faithfully observed; the violation whereof, upon what pretence soever, cannot be without great offence to almighty God, and great scandal to the true religion, which we profess; and also that Jews, Heathens, and other dissenters from the purity of Christian religion, may not be scared and kept at a distance from it, but, by having an opportunity of acquainting themselves with the truth and reasonableness of its doctrines, and the peaceableness and inoffensiveness of its professors, may, by good usage and persuasion, and all those convincing methods of gentleness and meekness, suitable to the rules and design of the gospel, be won over to embrace and unfeignedly receive the truth; therefore any seven or more persons agreeing in any religion, shall constitute a church or profession, to which they shall give some name, to distinguish it from others.

98. The terms of admittance and communion with any church or profession, shall be written in a book, and therein be subscribed by all the members of the said church or profession; which book shall be kept by the public register of the precinct wherein they reside.

99. The time of every one's subscription and admittance shall be dated in the said book of religious record.

100. In the terms of communion of every church or profession, these following shall be three; without which no agreement or assembly of men, upon pretence of religion, shall be accounted a church or profession within these rules:

I. "That there is a God."

II. "That God is publicly to be worshipped."

III. "That it is lawful and the duty of every man, being thereunto called by those that govern, to bear witness to truth; and that every church or profession shall, in their terms of communion, set down the external way whereby they witness a truth as in the presence of God, whether it be by laying hands on or kissing the bible, as in the church of England, or by holding up the hand, or in any other sensible way."

101. No person above seventeen years of age shall have any benefit or protection of the law, or be capable of any place of profit or honor, who is not a member of some church or profession, having his name recorded in some one, and but one religious record at once.

102. No person of any other church or profession shall disturb or molest any religious assembly.

103. No person whatsoever shall speak any thing in their religious assembly irreverently or seditiously of the government or governors, or state matters.

104. Any person subscribing the terms of communion, in the record of the said church or profession, before the precinct register, and any five members of the said church or profession, shall be thereby made a member of the said church or profession.

105. Any person striking out his own name out of any religious record, or his name being struck out by any officer thereunto authorised by each church or profession respectively, shall cease to be a member of that church or profession.

106. No man shall use any reproachful, reviling or abusive language, against the religion of any church or profession; that being the certain way of disturbing the peace, and hindering the conversion of any to the truth, by engaging them in quarrels and animosities, to the hatred of the professors and that profession, which otherwise they might be brought to assent to.

107. Since charity obliges us to wish well to the souls of all men, and religion ought to alter nothing in any man's civil estate or right, it shall be lawful for slaves, as well as others, to enter themselves, and be of what church or profession any of them shall think best, and therefore be as fully members as any freeman. But yet no slave shall hereby be exempted from that civil dominion his master hath over him, but be in all other things in the same state and condition he was in before.

108. Assemblies, upon what pretence soever of religion, not observing and performing the above said rules, shall not be esteemed as churches, but unlawful meetings, and be punished as other riots.

109. No person whatsoever, shall disturb, molest or persecute another for his speculative opinions in religion, or his way of worship.

110. Every freeman of Carolina shall have absolute power and authority over his negro slaves, of what opinion or religion soever.

111. No cause, whether civil or criminal, of any freeman, shall be tried in any court of judicature, without a jury of his peers.

112. No person whatsoever, shall hold or claim any land in Carolina by purchase or gift, or otherwise, from

the natives, or any other whatsoever; but merely from and under the lords proprietors; upon pain of forfeiture of all his estate, moveable or immoveable, and perpetual banishment.

113. Whosoever shall possess any freehold in Carolina, upon what title or grant soever, shall, at the farthest, from and after the year one thousand six hundred and eighty-nine, pay yearly unto the lords proprietors, for each acre of land, English measure, as much fine silver as is at this present in one English penny, or the value thereof, to be as a chief rent and acknowledgment to the lords proprietors, their heirs and successors, forever. And it shall be lawful for the palatine's court, by their officers at any time, to take a new survey of any man's land, not to out him of any part of his possession, but that by such a survey, the just number of acres he possesseth may be known, and the rent thereupon due may be paid by him.

114. All wrecks, mines, minerals, quarries of gems, and precious stones, and with pearl-fishing, whale-fishing, and one half of all ambergris, by whomsoever found, shall wholly belong to the lords proprietors.

115. All revenues and profits belonging to the lords proprietors in common, shall be divided into ten parts, whereof the palatine shall have three, and each proprietor one; but if the palatine shall govern by a deputy, his deputy shall have one of those three tenths, and the palatine the other two tenths.

116. All inhabitants and freemen of Carolina, above seventeen years of age, and under sixty, shall

be bound to bear arms, and serve as soldiers, whenever the grand council shall find it necessary.

117. A true copy of these Fundamental Constitutions shall be kept in a great book, by the register of every precinct, to be subscribed before the said register. Nor shall any person, of what condition or degree soever, above seventeen years old, have any estate or possession in Carolina, or protection or benefit of the law there, who hath not, before a precinct register, subscribed these Fundamental Constitutions in this form:

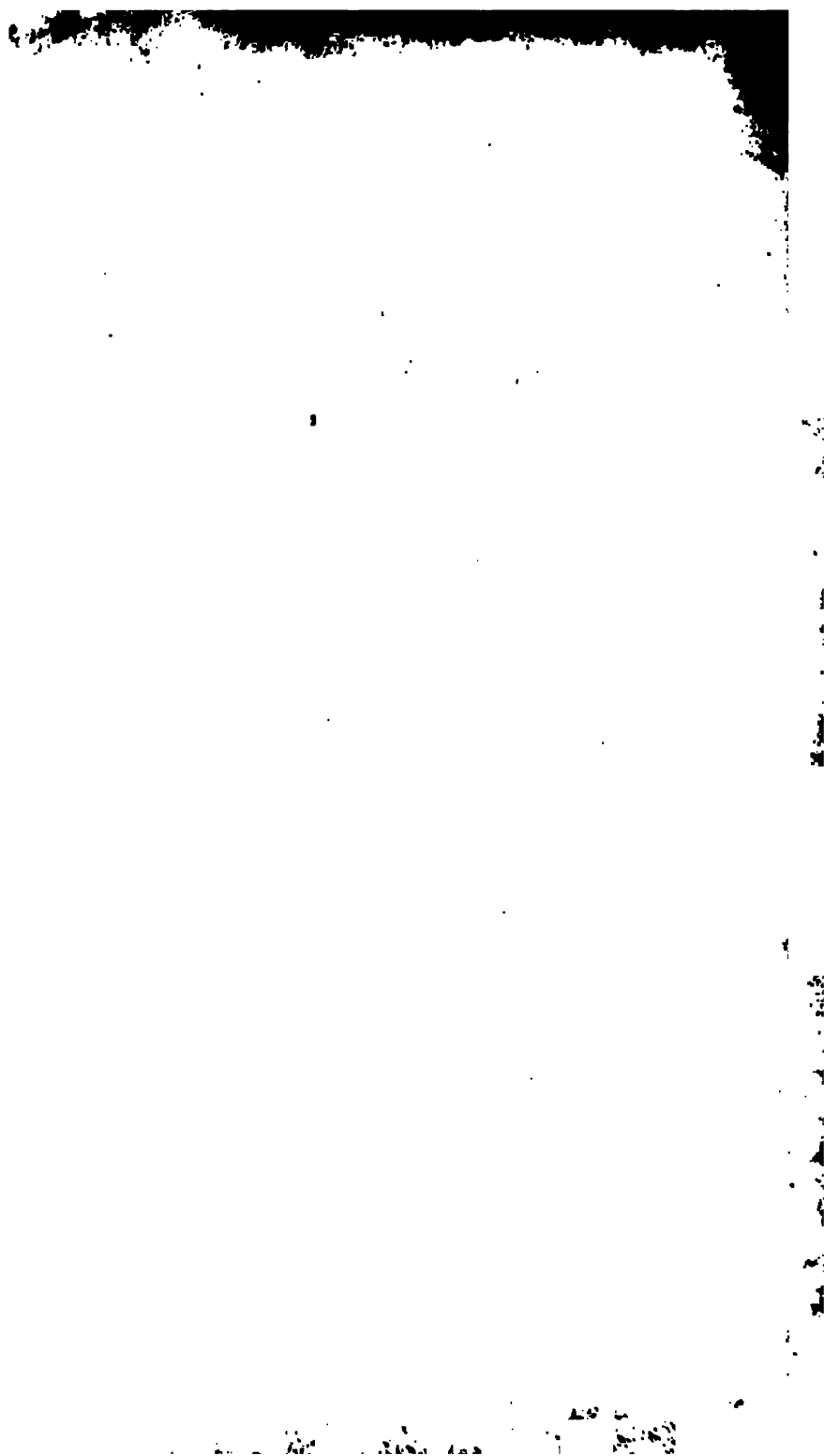
"I, A. B. do promise to bear faith and true allegiance to our sovereign lord king, Charles II., his heirs and successors; and will be true and faithful to the palatine and lords proprietors of Carolina, their heirs and successors; and with my utmost power will defend them, and maintain the government according to this establishment in these Fundamental Constitutions."

118. Whatsoever alien, shall, in this form, before any precinct register, subscribe these Fundamental Constitutions, shall be thereby naturalized.

119. In the same manner shall every person, at his admittance into any office, subscribe these Fundamental Constitutions.

120. These Fundamental Constitutions, in number a hundred and twenty, and every part thereof, shall be and remain the sacred and unalterable form and rule of government of Carolina forever. Witness our hands and seals, the first day of March, sixteen hundred and sixty-nine.





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